

Quaestiones Infnitae

PUBLICATIONS OF THE DEPARTMENT OF
PHILOSOPHY AND RELIGIOUS STUDIES

UTRECHT UNIVERSITY

VOLUME XCI

Colofon

©Annemeik Schlatmann, 2016

Bookdesign by rood ontwerp, Richard Draaijer

Printed by Ridderprint

ISBN 978-94-6103-050-4

Shi'i Muslim youth in the Netherlands
Negotiating Shi'i fatwas and rituals in the Dutch context

SJIITISCHE MOSLIMJONGEREN IN NEDERLAND :
ONDERHANDELINGEN OVER SJIITISCHE RELIGIEUZE
VOORSCHRIFTEN EN RITUELEN IN DE NEDERLANDSE CONTEXT
(MET EEN SAMENVATTING IN HET NEDERLANDS)

PROEFSCHRIFT

*ter verkrijging van de graad van doctor aan de Universiteit Utrecht
op gezag van de rector magnificus, prof.dr. G.J. van der Zwaan,
ingevolge het besluit van het college voor promoties in het openbaar
te verdedigen op maandag 6 juni 2016 des middags te 2.30 uur*

DOOR

Ann-Marie Schlatmann

*geboren op 31 december 1960
te Vancouver, Canada*

Promotor: Prof.dr. M.M. van Bruinessen

Co-promotor: Dr. N. Landman

<i>Table of contents</i>	5
Acknowledgements	11
A note on transliteration	13
<i>General introduction</i>	15
Introduction to the study	16
Theoretical approach	19
Research questions and method	20
Shi'i religious authorities	21
Shi'i young adults	23
Outline of this dissertation	27
<i>1 Shi'i Islam, Shi'i Muslims and the Dutch context</i>	29
Shi'i Islam	30
The origin of Shi'i Islam	30
Religious authority in Shi'ism	33
Shi'i Muslims in the Netherlands	35
Ethnic backgrounds	35
Social characteristics	38
The Netherlands, a changing context	40
<i>2 The Internet marja'</i>	43
Contemporary Shi'i religious leadership	44
Becoming a <i>marja' al-taqlid</i>	44
Grand ayatollah <i>sayyid</i> 'Ali al-Sistani	48
Grand ayatollah <i>sayyid</i> 'Ali Khamene'i	52
Grand ayatollah <i>sayyid</i> Muhammad Husayn Fadlallah	56
The relationship between Shi'i authorities and believers	63
The Shi'i <i>fatwa</i>	63
<i>Ijtihad</i> : same sources, different <i>fatwas</i>	65
<i>Taqlid</i>	69
Islamic jurisprudence and migration	70
Jurisprudence for migrants in the Islamic legal traditions	70
<i>Fatwas</i> for Shi'i migrants	72

Shi'i <i>fiqh li-l-mughtaribin</i> and Sunni <i>fiqh al-aqalliyyat</i>	76
Attitude towards non-Muslim environment and non-Muslim state law	77
The Internet <i>fatwa</i>	80
Building a community of followers	80
The Internet <i>marja'</i>	82
Web presence of grand ayatollah Sistani	83
Web presence of grand ayatollah Khamene'i	85
Web presence of grand ayatollah Fadlallah	87
Processing Internet <i>fatwas</i>	91
Conclusion	94
3 <i>Contextualising religious knowledge: the believer and the marja' al-taqlid</i>	99
Acquiring religious knowledge	101
Moral starting points	101
Transfer of Shi'i knowledge	101
Search for Shi'i knowledge	105
Newcomers in the tradition	109
Applying religious knowledge	113
Islamic values and Islamic law	113
Living a just life	113
Being accountable for one's actions	117
Practising <i>taqlid</i>	122
<i>Taqlid</i> and individual responsibility	122
Selecting a <i>marja' al-taqlid</i>	125
Consulting the knowledgeable	131
Consulting the office of the <i>marja' al-taqlid</i>	134
<i>Khums</i> , the material part of loyalty	137
Conclusion	140
4 <i>Everyday Dutch Muslim life: practice and representation</i>	145
Prayer	147
Prayer prescriptions	147
Prayer disciplines	150

Temporarily turning secular space into Muslim space	152
Intra-Muslim prayer encounters	154
Prayer in the private sphere	155
Muslim and secular sensibilities	158
Negotiating between correct practice and representation	158
Music	158
Listening to music	160
Performing music	162
Alcohol	165
Selling alcohol	165
Alcohol in social life	167
Shaking hands	169
Shaking hands with a troubled conscience	172
Strategies in (not) shaking hands	175
Taking the context into account	176
Shaking hands as counter-representation	178
<i>Ramadan</i>	180
<i>Ramadan</i> , month of piety	180
Priority to perfect practice and a pure state of mind	181
Conclusion	184
5 <i>Negotiating Islamic modesty</i>	189
Outer appearance: the <i>hijab</i>	192
A disciplined self	192
Religious prescriptions	192
Constructing a Muslim self	194
‘Because God tells you to do so’	196
Style of clothing	200
Different veiling interpretations	204
Ethnic veiling customs	204
The pressure of social control	205
Postponing the headscarf as norm	207
Competing veiling discourses	209
Identity and difference	211
Dutch attitude towards veiling	211

Taking position as a Muslim woman in Dutch society	212
Resisting Dutch prejudices	214
Converts becoming visible Muslims	217
Modest behaviour: mixed social interaction	219
Religious regulations, ethnic customs, Dutch manners	219
Disciplined companionship	221
The supervised conscience	224
Switching codes of conduct	226
Conclusion	228
<i>6 Marriage practices and gender relations in marriage</i>	231
Mating and dating	234
Ideal partner profile in a minority context	234
Changing views of 'a good match'	236
Crossing boundaries	238
Dating Shi'i style	240
Dating in secret	241
Marriage alliances and contractual agreements	243
Temporary marriage: meeting modern desires	243
Engagement	248
Cohabitation	252
Marriage contract: restoring gender balance	254
Dowry	255
Stipulations in the marriage contract	257
Gender relations within marriage	261
Gender relations in legal interpretations	261
Obedience	262
Maintenance	267
Conclusion	269
<i>7 Towards a Dutch Shi'i Muslim community</i>	273
Shi'i youth organisations	275
Ethno-Shi'i foundations	275
Youth associations	278
Ahlal bait Youth	278

Ahlalbayt4Everyone	283
Building a Dutch Shi'i community	285
Imagining a shared future	285
<i>Muharram</i> : the heart of Shi'i piety, the core of Shi'i identity	286
Traditional <i>Muharram</i> ceremonies in the Netherlands	288
A Muharram gathering for youth by youth	290
Religious knowledge instead of rituals	291
Space and audience	292
Communal prayer	293
The lay preacher: religious understanding, shared experience	293
The lecture	294
'Fiqh moment' and debate	296
<i>Muharram Magazine</i>	298
A shared future	300
Conclusion	302
<i>General conclusion</i>	305
Major research findings	307
<i>Fatwas</i> for Muslims in the West continuation of legal tradition	308
Shi'i legal methodology and the new genre of <i>fatwas</i>	308
Perspective of authorities on western society and western 'other'	309
Aim of <i>fatwas</i> for Muslims in the West	310
The emergence of 'a Dutch Shi'i Muslim'	310
Intersecting discourses and practices	310
Contextualising <i>fatwas</i> : balancing between correct practice and the image of Islam	311
<i>Fatwas</i> as means to fight the constraints of ethnic discourse and to meet 'Dutch' needs	312
A united 'Dutch' Shi'i youth community	314
'Eventually we will meet European Shi'i Muslims over here'	315
<i>Summary in Dutch (Nederlandse samenvatting)</i>	317
<i>Bibliography</i>	323

Author biography 341

Appendices

	My interviewees	343
	Questionnaire Ahlal bait Youth site	349
IO	Questions interviews Shi'i believers	352
	Interviews with legal scholars and representatives of <i>maraji' al-taqlid</i> in Qum	353
	List of Arabic terms	357

Acknowledgements

Since I started writing this dissertation some years ago, war and the insecure situation in a number of Middle Eastern countries have forced millions of people from that region to seek refuge elsewhere. Many are hoping to find a safe haven in European countries like the Netherlands. Only a few decades ago, the Netherlands also received a large flow of asylum seekers and political refugees from the Middle East. The present study is mainly about those who in the 1990s arrived in the Netherlands as toddlers, young children, or adolescents. Thanks to this research project I got to know some of them, now young adults. I hope that this book which shows how these youngsters have given shape to their lives and have been building a future in the Netherlands as Muslims will contribute to counterbalancing any suspicious attitude from the Dutch towards Muslim refugees today.

II

I owe my first debt of gratitude to those whose real names I cannot mention for the sake of anonymity, my interlocutors. Those whom it concerns will know. I experienced the conversations with you as the highlights of my research. I made the deliberate choice to use the words 'interlocutors' and 'interviewees' rather than the more frequently used but more passive term 'informants', because by entrusting me with your experiences, thoughts and feelings, sometimes very personal and candid, you gave me an insight into your lives that went beyond mere information. Without your contribution, this dissertation could not have been written in this way.

I am thankful to Mr Abbas Barati, Mr Mohammad Bonakdar and Mahmud Nazari of al-Mustafa University in Qum, Iran, for your efforts to arrange meetings with scholars and introduce me to key people in the network of Shi'i religious authorities. The knowledge I gained during my stay in Qum contributed greatly to my research. Besides, you made my stay in Iran not only informative and useful, but also a wonderful experience.

To my supervisors and promoters, Martin van Bruinessen and Nico Landman, I owe the greatest gratitude. Without Martin this project would not even have seen the light of day. From the very beginning until the end, both of you gently pushed me into the right direction with your expertise, constructive suggestions, analytical spirit and critical comments. You have always stimulated my thinking, encouraged me and believed in me, even at times when I was on the point of losing confidence in myself.

I want to express my gratitude to Birgit Meyer, for our inspirational talks and for giving me the chance to be part of the workshops at Zentrum Moderner Orient in Berlin from which I greatly benefited. You have much contributed to my really enjoying this PhD adventure.

12 I thank the Department of Philosophy and Religious Studies of Utrecht University for offering me the possibility to embark on this PhD project by giving me a position as AIO. To my colleagues of the department, especially my roommates Joantine Berghuijs and Sigrid Coenradie, I would like to say that I am grateful for your inspiration, suggestions and support, and for sharing the ups and downs that inevitably seem to belong to PhD life.

My gratitude also goes to the members of the review committee, Oliver Scharbrodt, Annelies Moors, Karin van Nieuwkerk, Christian Lange and Birgit Meyer, for the time and energy you devoted to critically reading my work and to be part of the defence committee.

I thank the colleagues who asked me to give guest lectures about my topic of research, Martin van Bruinessen, Nico Landman, Birgit Meyer, Kadir Türkmen and Welmoet Boender from Utrecht University, Esther van Eijk from Leiden University and Nelly van Doorn-Harder from VU University Amsterdam.

My heartfelt gratitude also goes to my friends and relatives without whose support, encouragements, interest in my work, and welcome moments of distraction, this PhD research could not have been accomplished. A few deserve special attention:

My friend and paronymph Elian Hattinga van 't Sant, and my brother and paronymph Hans Schlatmann, whose questions about my research as outsiders in the field often forced me to sharpen my thoughts.

My husband Frits Drost, who cannot be thanked adequately enough. Your suggestion 'to make my dream come true' made me decide in 2001 to embark upon the challenge of studying Arabic language and Middle Eastern cultures at Utrecht University, which was the beginning of this academic adventure. You have endlessly encouraged and supported me, you have often endured my mental absence, and with your sense of humour you have always been able to put things into perspective for me and to bring me back into reality.

Finally, I thank my dear parents Hans and Lya Schlatmann, who are not aware of this study but who have so much contributed to the person I am. I dedicate this book to both of you.

A note on transliteration

The system of transliteration adopted for Arabic and incidentally Persian in this thesis is a simplified version of what is recommended by the International Journal for Middle Eastern Studies (IJMES). It employs the transliteration of consonants and vowels according to IJMES, but it omits all diacritics. The plural of words is formed by adding an 's' to the singular, with the exception of Arabic broken plural forms, such as '*ulama*', '*maraji*' and '*wukala*'. Words transliterated from Arabic and Persian are preferably italicised. Exceptions include Imam and Qur'an. There are occasional inconsistencies related to the fact that I have used the spelling of the Arabic and Persian names as used by the authors and their institutions when writing in English.

General introduction

Introduction to the study

16 This dissertation is about Twelver Shi'i Islam in the Netherlands. More precisely, it is about Shi'i Muslim youths and their Dutch Muslim lives. It is also about Twelver Shi'i authorities and the *fatwas* (Islamic legal opinions) they started to issue specifically for Shi'i Muslims in the West.¹ These *fatwas*, published in *fiqh* manuals and on Internetsites of the Shi'i religious authorities, cover a broad range of issues relating to religious rituals and observances as well as religious conduct in daily life, with a focus on problematic situations that Muslims in western societies may face.²

From the day I became aware of the existence of *fatwas* for Shi'is living in the West, questions have come to my mind such as: How are Shi'i authorities in Middle Eastern countries able to fully understand the problems Shi'i believers encounter in living a Muslim life in non-Muslim societies? What issues are addressed in the new *fiqh* manuals? What does this new genre of *fatwas* mean for Shi'i Muslims living in western societies? Do Shi'i believers apply the rulings literally or do they need to reinterpret the *fatwas*?

Shi'i authority is organised in a highly hierarchical system with a small number of religious scholars at the top. These are the grand ayatollahs, in Arabic called *maraji' al-taqlid* (sg. *marja' al-taqlid*, meaning 'source of emulation'). Shi'i doctrine prescribes a direct relationship between a believer and a Shi'i religious scholar, which will be explained in detail in chapter 1. This relationship implies that Shi'i religious authorities, through their *fatwas*, can have considerable influence on the lives of Shi'i Muslims.

In the Netherlands, Shi'i Muslims are mainly of Afghan, Iranian and Iraqi origin. In the 1980s and 1990s, Shi'i migrants arrived as political refugees who had left their home countries due to war, and political insecurity and instability (see more details in chapter 1). This dissertation concerns the generation, now young adults, who arrived as teenagers or as young children of refugees in the 80s and 90s.

1 In this dissertation the term Shi'ism refers to Twelver Shi'ism because it is the only branch of Shi'ism that I am concerned with in this study. Consequently I will use Shi'i or Shi'i Muslim to refer to the adherents to Twelver Shi'i belief and Shi'i as an adjective.

2 Chapter 2 provides further explanation on *fiqh* and *fiqh manuals*.

The aim of this research is to uncover to what extent the new genre of religious rulings contributes to the process of negotiation of Shi'i young adults with respect to correct religious practice and living as good Shi'i Muslims in the Dutch secular-liberal environment. I explored how religious authority is dealt with and interpreted by faithful youth, the effect of *fatwas* on the lives of young Shi'is, the conflicts between Shi'i and Dutch lifestyles and mores, and perceptions of the West from the perspectives of Shi'i authorities and believers. As the research progressed, I discovered that the pursuit of Shi'i young adults to perpetuate the Shi'i Islamic tradition in the Dutch social context was leading to the emergence of a Dutch Shi'i Muslim and a Dutch Shi'i youth community that transcended the borders between ethnic Shi'i groups. These developments went beyond my initial research questions. As they were related to issues of authority and reinterpretation of traditional practices in the new social context in order to sustain the Shi'i tradition in the Dutch context, I have included them in my research. The focus of the study has therefore shifted to the individual and communal religious practices of Shi'i youth in Dutch society.

17

This study approaches the new genre of *fatwas* from two perspectives: the *fatwa*-givers, the grand ayatollahs, and the *fatwa*-livers, young Shi'i believers in the Netherlands. As regards the religious authorities I will explore whether the new *fatwas* are a reform within the Shi'i legal tradition and what the *maraji' al-taqlid's* objectives are in issuing *fatwas* for Shi'i Muslims living in western societies.

With regard to Shi'i believers, this study analyses the effect of the new genre of *fatwas* for Shi'is in the West on the lives and practices of Shi'i young adults in the Netherlands. It explores the ways in which Shi'i youngsters observe and negotiate the religious edicts. Furthermore it provides an insight into the applicability of the *fatwas*, the extent of influence of religious authority on the lives of ordinary believers, and reinterpretation of traditional practices. It will also demonstrate that Shi'i youths, diverse as they are, started to combine the opportunities offered by living in a western society with Shi'i legal discourse.

Most academic studies on Islam and Muslims in Europe are conducted from a European view. European values and norms are taken as self-evident. The present study intends to explore the practices and lives of young Shi'is in the Netherlands from their perspective. It aims to discover the thoughts, feelings

and considerations of youngsters in order to get an understanding of the influence of religious rulings, ethnic norms and Dutch standards on their personal lives. Apart from Dutch standards, Dutch debate on Islam may also have considerable influence on the lives and practices of youngsters. Strong voices in the Dutch public debate have directed the Dutch general attitude to Islam more and more towards the question whether the Islamic way of life is compatible with Dutch norms and values. Moreover, the Dutch perception of Islam, certainly after 9/11 and later attacks, has resulted in a hardened climate with respect to Islam.

Western academia has shown increasing interest in Shi'i Islam over the past few years. Important studies were published on the relationships and tensions between the Shi'i and the Sunni tradition in history and in the present time (Maréchal, Zemni 2013, Nasr 2006) and on transnational networks of Shi'i authorities (Corboz 2009, Louër 2008). Furthermore, ethnographic studies have been presented about reform of the Shi'i tradition in Lebanon in light of modernity (Deeb 2006) and coexistence with non-Muslims (Shaery-Eisenlohr 2011). However, until now studies on Islam and Muslims in Europe have hardly addressed Shi'ism as a lived religion. Little is known about Shi'i Muslim practices in the European setting. The very few ethnographic studies that discuss Shi'i practices in Europe at grass root level have a strong focus on communal Shi'i ritual practices (Spellman 2004), especially the practices of *Muharram* (Flaskerud 2014, al-Khalifa Sharif 2005).³ Research on the new genre of *fatwas* in Shi'i Islam as a response of religious authorities to the minority position of Muslims in western societies (Darwish 2009, Takim 2009) does not address the ways in which *fatwas* are actually practised by Shi'i believers living in the West. The current research tries to fill this knowledge gap by focusing on Shi'i Islam as a lived religion in the Netherlands.

In the same period in which Shi'i regulation for Muslims in the West started to develop, also a new Sunni genre of religious regulation for Muslims in the West emerged, called *fiqh al-aqalliyyat* (jurisprudence for minorities). In the Sunni world this type of regulation appears to be highly controversial. Although the present study has no intention of making comparisons between Sunni and

3 Spellman presented her study 'Generation and Ritual among young Shias in the UK' at SOAS, University of London in 2013. See <https://www.youtube.com/watch?v=ottS2Vv75A> (latest access 22 November 2015).

Shi'i Islam, the Sunni controversy is reason to explore the position of the new genres of Sunni and Shi'i regulation in the legal traditions they are part of. This issue will be addressed in chapter 2.

Theoretical approach

19

The central perspective from which this research is carried out is informed by Talal Asad's suggestion to regard Islam as a discursive tradition (Asad 1986). Asad argued that religion in modern western secular-liberal view is often defined as being separated from politics, law and science. He considered this view on religion an inadequate concept for understanding Muslim traditions, because in Islam religion and power, whether political or legal, are inseparable (Asad 1993, 28-29).

Drawing upon MacIntyre's concept of tradition, which says that a living tradition is characterised by continuous debate and argument about what is essential to the tradition in order to sustain and strengthen it, Talal Asad proposes to regard Islam as a discursive tradition, that is, a tradition in which discourse about practice is a central concern. Traditional practices articulate a relationship with the past through an engagement with sacred texts (Qur'an and *hadith*), commentaries on those texts, and the sayings and doings of exemplary persons. In Asad's conception of tradition the discourses about the point and purpose of the practice in the social context, about their maintenance and modification, link the practices to the present and the future.

In Asad's understanding, interpretation of the founding texts may take place both at the scholarly level and at the level of the practising Muslim (Asad 1986, 14-15), hence in the practical context in which the sacred texts gain their meaning. The authorisation, then, depends on the power relations within a specific context, which may include hierarchies of knowledge, age, class and gender.

The notion of 'discursive tradition' provides useful tools for my analysis because the production of Shi'i *fatwas* in the Middle East and the local interpretation of these opinions in the Dutch social context resonate with key aspects of Asad's approach of tradition. Asad's view focuses on the dynamics within a tradition, the aspects of reason and argument in relation to proper

performance and the local conditions, and the discourses about maintenance and reform in relation to the challenges the tradition faces in a new context. In addition, Asad's view includes both the practices and forms of reasoning of the scholars and of the Shi'i faithful, in their social context. Moreover, the engagement with traditional texts and the debate about virtues within the Islamic tradition are essential in the encounter with other traditions, whether Islamic or non-Islamic.

Research questions and method

In the research conducted for this dissertation, I aimed to examine the role of the new *fatwas* for Muslims in the West on the lives and practices of Shi'i young adults in the Netherlands.

My main research question was: *to what extent does the new genre of religious rulings contribute to the process of negotiation of Shi'i young adults with respect to correct religious practice and living as good Shi'i Muslims in the Dutch environment.* An element inherent in this question is the direct relationship between Shi'i authority and Shi'i believer, a feature of Shi'i Islam. This study therefore includes the examination of the discursive interaction regarding correct religious practice between actors in two different social environments: the production of *fatwas* by Shi'i religious authorities residing in Muslim majority societies, and the reception of the *fatwas* by lay believers living as a minority in a western society. This is also reflected in the four subquestions I investigated, which are,

- 1 Which subjects are dealt with in Shi'i jurisprudence for Muslims in the West, what are the main differences with the legislation as applied in Muslim majority societies, and are there changes in the Shi'i method of *ijtihad* (independent judgement of a legal scholar in a legal or theological matter)? This question was meant to reveal reform in the Shi'i legal methodology (*ijtihad*) and to indicate which aspects of western societies *maraji' al-taqlid* consider to be in conflict with the precepts of Shi'i faith.
- 2 From which perspective and with which aim do *maraji' al-taqlid* issue their *fatwas* for Muslims in the West, and what are the differences between them in this regard? This part of the study was intended to provide insight into

the authorities' perspective of the West, the *ijtihad* and the objectives of the religious authorities, and to identify the differences between the *maraji' al-taqlid* in these fields.

- 3 How do Shi'i *fatwas* for Muslims in the West influence the practices and lives of Shi'is in the Netherlands? Finding the answer to this question should give an insight whether Shi'i Muslims experience difficulties in complying with religious regulations, if so, what those problems are, why the *fatwas* are not sufficiently helpful, and how believers deal with such situations.
- 4 Observations in the course of my research forced me to include the question how traditional Shi'i practices are adapted to the Dutch social and cultural context, and how these adaptations relate to issues of authority.

21

In order to find answers to this set of questions I conducted interviews with both groups of actors in the discourse, the *fatwa*-producers and the *fatwa*-consumers. Precisely because of the importance of the social context in my research, I considered it important to learn about the living environment of both the Shi'i religious authorities and the Shi'i believers.

Shi'i religious authorities

My research plan included visits to the Shi'i religious centres from which the *maraji' al-taqlid*, the grand ayatollahs 'Ali al-Sistani, 'Ali Khamene'i and Muhammad Husayn Fadlallah operate, which are Najaf in Iraq, Qum in Iran, and Beirut in Lebanon respectively. Being immersed in the worlds of the religious authorities and interviewing the scholarly network surrounding them would provide an insight in their conceptions of western societies. Such visits would also contribute to deciphering the differences between the three grand ayatollahs. It is important to note that within the Shi'i clerical establishment there are different points of view on certain topics, differences that are reflected in their *fatwas*. Another objective of these visits was to gain insight into the production of *fatwas* and in the processes of communication between the offices of the *maraji' al-taqlid* and the lay believers who ask for legal opinions.

In the spring of 2010 I spent two weeks in Qum (Iran), the religious centre of grand ayatollah 'Ali Khamene'i. With a large number of religious colleges and universities, Qum is one of the two major Shi'i centres of knowledge.

The other centre is Najaf (Iraq). The three *maraji' al-taqlid* and Iranian grand ayatollahs (see chapter 2) have an office with a *wakil* (representative) in Qum. Within religious scholarly circles in Qum, the concept of the Islamic Republic is actively conveyed. Religion and politics are inseparable.

22 The staff of al-Mustafa University, who organised my invitation, took care of arranging introductions, making appointments, and providing an interpreter. At my request interviews were arranged with specialists in the field of Shi'i jurisprudence and representatives of the grand ayatollahs Sistani, Khamene'i and Fadlallah. The programme included visits to two representatives of the *marja'iyya* (Shi'i clerical establishment) in Najaf (see chapter 2), *sayyid* Jawad Shahrastani and *sayyid* Riyad al-Hakim, to the representative of grand ayatollah Fadlallah, *shaykh* Yasir, and to one of the representatives of Khamene'i in Qum, *shaykh* Asad Kathir.⁴ Equally important for my research was the visit to Dr Hashemi, manager of the Aalulbayt Foundation, the web centre of grand ayatollah Sistani located at Dowr Shah Street in Qum. This is the major communication centre of grand ayatollah Sistani, which is located in Qum because of the unsafe situation in Iraq. A series of interviews with specialists in the field of Shi'i jurisprudence and legal methodology who are affiliated to the universities in Qum, and two sessions with female professors on women's studies affiliated to Bint al-Huda seminary completed my programme (see appendix 'Interviews with legal scholars and representatives of *maraji' al-taqlid* in Qum').

In July 2010 grand ayatollah Fadlallah died, but because Fadlallah's son continued the office of his father I decided to travel to Beirut in April 2012 to pay a visit to Fadlallah's office. Although I did not have an official appointment, the staff welcomed me in the office of the late grand ayatollah Fadlallah, located in the suburb al-Dahiyya in Beirut. *Sayyid* 'Ali Fadlallah, the late ayatollah's son who takes care of the legacy of his father, made time to explain his father's ideas and way of reasoning in making *fatwas*. During a guided tour through the communications centre the staff explained the different stages in the process of *fatwa* handling. At the end of the visit I had an interview with *shaykh* Husayn 'Abdallah of the department of *istifta'at* (request for legal opinions).

4 *Sayyid* is an Arabic honorific title denoting descendants of the Prophet Muhammad. The title *shaykh* refers to a religiously schooled person.

Shaykh ‘Abdallah explained the way in which he applies grand ayatollah Fadlallah’s method of *ijtihad* in issuing *fatwas* for the questioners who consult Fadlallah’s office.

A planned visit to Najaf, the religious centre in Iraq where grand ayatollah Sistani is based, had to be cancelled because the security situation in Iraq had deteriorated dramatically. In spite of this, the ideas of the *marja’iyya* in Najaf were clarified during two interviews with *sayyid* Riyadh al-Hakim, the son of *marja’ al-taqlid* Muhammad Sa’id al-Hakim in Najaf and representative of the *marja’iyya* of Najaf in the Netherlands. The first interview was in Qum and a second conversation took place during one of his visits to the Netherlands.⁵

The interviews with clerics and scholars who are part of the network of the *maraji’ al-taqlid* provided an insight into the specific methodology of practising *ijtihad* (independent legal reasoning). Informal conversations and meetings in Qum and Beirut have contributed to my understanding of the prevailing conceptions of western societies in these Middle Eastern countries. The websites of the three *maraji’ al-taqlid*, together with their printed *fiqh* manuals, were a main source for consulting their *fatwas*. Finally, I had interviews with two *wukala’* (sg. *wakil*, representative of a *marja’ al-taqlid*) in Europe. In London I had a meeting with the Iraqi *shaykh* Muhammad al-Khalkhali, a representative of grand ayatollah al-Sistani at the Imam Ali Foundation in London. In the Netherlands I had an interview with the Turkish *shaykh* Israfil Demirtekin from the Hicret mosque in Rotterdam, who is the *wakil* of the grand ayatollahs Sistani and Khamene’i.

Shi’i young adults

In order to analyse the lives and practices of Shi’i Muslims in the Netherlands, this study focuses on religiously committed Shi’i young adults. This choice is based on two grounds. First, publications and websites of the *maraji’ al-taqlid*, especially those of Sistani and Fadlallah, are specifically directed at young people (see chapter 2). Second, the aim of the study requires conversations with Shi’is who actively participate in Dutch society and who frequently face

5 The conversations with *sayyid* Riyadh al-Hakim took place in Qum, Iran, on 24 February 2010 and in Spijkenisse, the Netherlands, on 11 December 2010.

tensions between religious edicts and Dutch circumstances in everyday Dutch life. Shi'i young adults, mostly children of political refugees who arrived in the Netherlands in the 1990s, have had their education or a part of their education in the Netherlands. They are thus shaped by both Islamic and Dutch discourse. I therefore thought that engaging with young Shi'is would provide me with the most valuable information and decided to focus on the youth generation.

The most important data about Shi'i practices were obtained through interviews with Shi'i young adults living in the Netherlands. These interviews were conducted between July 2009 and January 2012. The analysis of this dissertation is based on in-depth interviews with 35 Shi'i Muslim youths (see appendix 'My interviewees').

In selecting interviewees, the first criterion was that they had to be practising and religiously committed Shi'i Muslims. It was a deliberate choice to select interviewees from the group that in this study is called youth, youngsters, or young adults. Pierre Bourdieu doubts the usefulness of 'youth' as an analytical category, because it lumps together people who do not necessarily have much in common to consider them as a distinct category (1993, 94). I consider the term 'youth' a meaningful category in this study, because it refers to those that bear one essential characteristic that distinguishes them from what I will call 'the older generation' or 'the generation of parents', which is the task to build a future as Shi'i Muslims in a new social context by reinterpreting practices. Indeed, the older generation of Shi'is had a future in the homeland, still stand with one foot in their country of birth, and relate their identity exclusively to that country. The Shi'is this research focuses on consider the Netherlands to be the country in which their future lies, in which they plan to raise a family and to have a social career.

My interviewees are young adults between 17 to 32 years. Some are a bit older. Six of them – including four converts - were born in the Netherlands, fifteen of them arrived between the age of 2-10, eleven arrived at the age of 11-20, and three of them came to the Netherlands in their twenties.

Prior to my study I had no connections in the Shi'i community. As I wanted to meet committed, practising Shi'i believers I started visiting Muharram gatherings and gatherings of one of the major youth associations, AhlalbaitYouth. Because these were religious gatherings I wore a headscarf on those occasions. At the end of such gatherings I got into talking with young

female Shi'is. This resulted in the contacts for interviews with Iraqi and Afghan women, who further introduced me into their network. The opportunity I was given to present my research project on the website of AhlAlbaitYouth led to a number of interviews with Iraqi, Afghan and Turkish men and women (see appendix 'Questionnaire AhlAlbaitYouth'). Furthermore, a colleague at Utrecht University introduced me to a Dutch woman who had converted to Shi'i Islam. She introduced me in her Shi'i network of converts and born Shi'is, which led to contacts for interviews with Dutch, Iraqi, Afghan and Pakistani Shi'is.

25

It turned out that mainly highly educated Shi'i youngsters, that is to say young Shi'is with a university or an HBO qualification (higher professional training), were willing to participate in my research. Three potential interviewees with an education at a lower level cancelled their appointment at the last minute. They felt uncertain, despite my attempts to convince them that the interview was not meant as an exam but rather as a conversation about their personal experiences and practices. The fact that my interlocutors are all highly educated certainly had advantages. Indeed, these youngsters had actively reflected on their faith and practices, and they were sufficiently confident to be open, voice critique, and define their personal position. However, having only highly educated interlocutors also marks the limitation of my research.

The interviewees reflect the Shi'i community in the Netherlands as regards ethnicity, *taqlid*, and gender. The ethnic background of the interlocutors is as follows: sixteen Iraqis, eight Afghans, two Iranians, one Pakistani, one Surinamese, one Turk, two Moroccans, and four Dutch. Of those, twenty-two follow Sistani, one follows Khamene'i, four have Fadlallah as their source of reference, two persons follow another *marja'*, and six interviewees do not follow one specific *marja'*. Of my interlocutors 14 are men and 21 are women. The reason for having fewer men than women should be sought in the fact that being a woman myself made it easier to approach women at gatherings and other meetings, which were the places *par excellence* to recruit interviewees.

The interviews mostly took place in public spaces, such as restaurants in shopping areas or university restaurants. Nine interviews were conducted in the private space of the interviewee, at their request. They were open-ended interviews that lasted from 1,5 up to 3 hours. Five interviews were conducted in two sessions. Three interviews were double interviews.

All interviews were held in the Dutch language. All interviews except two

were recorded after explicitly having asked the permission of my interviewees. The interviews were transcribed manually. The fragments used in this dissertation are translations of the original excerpts in Dutch. One interview took place by e-mail, in the Dutch language.

26 At the beginning of the interviews I introduced myself as a PhD researcher working on the religious practices and everyday experiences of Shi'i Muslims in the Netherlands in relation to religious regulation. I told my interviewees that I had started to study Arabic and Middle Eastern cultures at the age of 40, that my thesis on the position of the *marja' al-taqlid* had made me aware of the new genre of *fatwas*, and that I was interested in the meaning and practice of these religious rulings in the everyday life of Shi'is in the Netherlands.

Being aware that criticising parents and religious authorities or their *fatwas* could be problematic for youngsters, and in order to encourage interviewees to talk freely and unrestrainedly, I gave interlocutors a certain extent of control over the information they would allow me to use. Apart from the promise to anonymise the interviews and to use pseudonyms, for which they could themselves give suggestions, I promised to send them the transcript of the interview and give them the possibility to skip passages or to give comments. As a result of this approach interlocutors, especially the women, entrusted me their experiences and thoughts, which were sometimes very personal. This helped me in gaining insight into their experiences and feelings. Except for a single additional clarification interviewees gave their approval to use the integral transcribed text of the interview.

My questionnaire only covered a limited number of themes and facts that I wanted to address in the interviews (see appendix 'Questions interviews Shi'i believers'). These questions included whether the interlocutor follows a *marja' al-taqlid*, and if so which one, what the relationship with the *marja' al-taqlid* means for them, and whether they ever consult this authority in case of a question or a problem. Another set of questions related to observing the edicts of the *marja' al-taqlid*, in which situations youth experience problems in observing religious rulings due to the Dutch context, and the ways in which they reason and act at such moments. Each interview was different, depending on the experiences of the interlocutors and the topics they raised themselves.

Apart from the in-depth interviews I attended a number of gatherings, specifically of youth associations. These were ideal occasions for meeting

potential interviewees. Attending the gatherings made me further acquainted with the ideas, habits, atmosphere and rituals that are specific to Shi'i youth. After those meetings I had lots of short conversations with young people about their religious practices and their experiences in everyday life. Because I was always in the women's section these short conversations were mostly with young women. Finally, I followed developments within the Shi'i youth community through social media, especially Facebook, from the beginning of my research to this day.

27

Outline of this dissertation

The first chapter situates this dissertation in its historical and contemporary context. It first describes the origins and characteristics of Twelver Shi'ism, followed by an explanation of the structure of religious authority in the Twelver Shi'i tradition. The second section provides an overview of the ethno-national composition of the Shi'i community in the Netherlands, including an estimate of the number of Shi'is based on ethno-national origin. The last section describes the Dutch public discourses and debates on religion and Islam.

The second chapter is devoted to the Shi'i religious authorities. I first present the three main contemporary religious leaders, the grand ayatollahs Sistani, Khamene'i, and Fadlallah, their characteristics, and the ways in which they have reached their position. In the second part of the chapter I explain the meaning of *fatwa* in Shi'ism and the practice of *fatwa*-giving. This section also pays attention to the relationship between Islamic regulation and Dutch civil law. The third part focuses on the development of *fiqh* for Shi'i migrants and analyses how the new genre of *fatwas* relates to the legal tradition with regard to Muslim migrants. This part includes a comparison between Shi'i and Sunni *fiqh* for Muslims in the West. In the final part I discuss the role of the Internet as a channel of communication between religious authorities and practising believers.

Chapter three analyses the relationship between ordinary believers and the *marja' al-taqlid* in practice. I first discuss the influence of religious education on the attitude of Shi'i Muslims towards religious regulation and *taqlid*. In the second part I analyse practices of seeking guidance from the *marja' al-taqlid* by Shi'i youngsters.

The fourth chapter zooms in on Muslim practice in everyday Dutch life. It discusses the practice of the religious duties prayer and fasting and it analyses how young Shi'is in everyday life observe the rulings of their *marja' al-taqlid* specifically in encounters with non-Muslims and the Dutch style of living.

28

The fifth chapter is devoted to the issue of Islamic modesty in the Dutch context. In the first part of the chapter I discuss veiling practices. This part demonstrates the meanings of the headscarf in Shi'i-legal, ethno-national, and Dutch discourse. It also discusses how Shi'i young women relate to these discourses in their (non-)veiling practices. The concern in the last section of the chapter is Islamic modest behaviour and interaction between men and women, mostly from the perspective of Shi'i young women. It analyses the ways in which my interviewees navigate between religious prescriptions, ethnic standards and Dutch customs.

Chapter six discusses marriage practices and gender relations within marriage. This chapter analyses changes and continuities in the practices that are deemed central in the preservation of any tradition: partner search and marriage. It also discusses conceptions of Shi'i youths, again especially young women, about gender relations in marriage, and the ways in which they use religious precepts to strengthen their own position.

Chapter seven is devoted to developments within the Shi'i youth community. It discusses youth initiatives that aim at rooting the Shi'i tradition in the Netherlands, building a united community, and safeguarding a future as Shi'i Muslims in the Netherlands.

My observations in the concluding chapter are that in recent years we have seen the emergence of the Dutch Shi'i Muslim and of Dutch Shi'i Islam.

I

Shi'i Islam, Shi'i Muslims
and the Dutch context

The link between the Shi'i mythical past and its exemplary figures, *ahl al-bayt*, and today's Shi'is in the Netherlands becomes already evident from the names of the two largest Shi'i youth associations: Ahlalbayt4Everyone. For Shi'i Muslims, commemorating *ahl al-bayt* and the Shi'i founding narrative during the Islamic month of *Muharram* is the most important religious ritual of the year.⁶

In the first part of this chapter I provide backgrounds on Shi'i Islam, its founding myth, and the development and structure of Shi'i authority. This will clarify why *ahl al-bayt* are central in Shi'i Islam and how they are the basis for the distinct Shi'i view on religious leadership. The construction of Shi'i religious authority today is based on this view on leadership.

The second part of this chapter outlines the composition of the Shi'i community in the Netherlands: ethnic backgrounds, migration histories, characteristics of the populations, and estimations of numbers. Shi'i Muslims in the Netherlands share their religious beliefs and the experience of migration. However, because the Shi'is are from different countries of origin they have brought with them different interpretations of religious practices and rituals. There are also different attitudes to what living as a good Muslim entails. These views have met each other in the Netherlands and form boundaries between the various Shi'i-ethnic communities.

Finally, in order to understand the struggle of Shi'i youngsters in their balancing between Shi'i religious prescriptions and the values of their non-Muslim Dutch environment, the third part sketches some relevant aspects of the Dutch context. Altogether this background information provides a basis to understand the changes and continuations in Shi'i Islam as a lived religion in the Netherlands.

Shi'i Islam

The origin of Shi'i Islam

Shi'i Muslims believe that the Prophet Muhammad designated 'Ali ibn Abi Talib as the leader of the Muslim community at a place called Ghadir Khumm

⁶ In chapter 7 I describe how Shi'i youngsters have been giving new meaning to the Muharram ritual in the Dutch context.

on his return to Medina from his last pilgrimage to Mecca in the year 632. 'Ali was the Prophet's cousin and his closest confidant, and by marrying Muhammad's daughter Fatima he became his son-in-law as well. After the death of the Prophet in 632, however, one of Muhammad's closest companions, Abu Bakr, was elected to be the caliph or successor to Muhammad. The majority of Muslims endorsed the leadership of Abu Bakr (d. 634) and his successors 'Umar (d. 644) and 'Uthman (d. 656). The party of 'Ali (*shi'at* 'Ali, which would later develop into the Shi'is) rejected the authority of the first three caliphs and saw them as usurpers of the caliphate. To these partisans, 'Ali was the first legitimate caliph (656-661) and Imam. Yet, 'Ali's rule was not generally recognised and the period of his rule was marked by political crisis and civil conflicts. In 661 'Ali was assassinated.

'Ali left behind two sons from his marriage to the Prophet's daughter Fatima, Hasan and Husayn. The eldest, Hasan, was in fact the proclaimed caliph. His opponent Mu'awiya, however, managed to sow discord in Hasan's army, which melted away the support for Hasan. Hasan renounced his claim to the caliphate when he realised that there was little support left due to Mu'awiya's actions. Shi'i Muslims consider Hasan the rightful successor to his father 'Ali, and the second Imam. At the time of the death of his father, Hasan was 36 or 37 years old. He died in 670.

Caliph Mu'awiya died in 680. Prior to his death he designated his son, Yazid, as his successor. Many Muslims did not recognise Yazid as the righteous and legitimate leader. They pressured Husayn to assume leadership. At that time Husayn was aged 54, and his brother had died 10 years earlier, in 670. With his family and a small group of supporters Husayn left Mecca secretly and headed for Kufa. Yazid, however, was aware of the situation and one of his military units went after Husayn's troops. On the second day of the month of *Muharram* in the year 680, Husayn's group camped on the plains of Karbala, north of Kufa and west of the Euphrates. The next day some 4,000 men, troops of Yazid, arrived. They surrounded Husayn's troops and denied them access to the river, the only source of water. Only if Husayn signed a pledge of allegiance to Yazid, would he and his troops get access to the water. Husayn began negotiations, while the shortage of water led to a desperate situation in Husayn's camp, but he refused to pay tribute to the caliph Yazid.

On the ninth day of *Muharram*, Yazid's forces approached Husayn's camp, which by then was said to have numbered 32 horsemen and 40 foot soldiers, plus women and children. The following morning, 10 *Muharram* 680, now known as '*Ashura*', the camp of Husayn was stormed. One by one his supporters and family members were killed, as was Husayn in the end. The bodies of Husayn and his companions were decapitated and the heads were brought to Kufa. The women and children were taken prisoner, including Husayn's sister Zaynab and his only surviving son 'Ali. After being taken to Kufa and later to the caliph's court in Damascus, they were allowed to return to Medina. 'Ali, the surviving son of Husayn, was to ensure the continuity of the Imamate.

For Shi'i Muslims, Karbala became a paradigm that provides Shi'i Islam with moral values and role models. Karbala defines good and evil, it exalts martyrdom and the sacrifice against oppression. Since then Husayn has been admired and has become a role model because he preferred to die instead of going against his principles by giving in to the threats of an unjust ruler who humiliated him. Karbala nourishes a collective Shi'i memory and defines the admiration for *ahl al-bayt*, the family of the Prophet and the Imams.⁷

After Husayn's death in 680, his son 'Ali Zayn al-'Abidin became the fourth Imam. According to Twelver Shi'i belief there have been twelve such leaders. All these leaders opposed to and suffered from domination by Sunni dominated governments. Since they were a threat to the political power of the Sunni caliphs, the Imams and their followers were all persecuted. Shi'i belief says that due to this intense persecution, the twelfth Imam went into occultation (*ghayba*) in the year 874 and will reappear at some point in the future that will be followed by the final Day of Judgement. The twelfth Imam is called Imam Mahdi.⁸

The Imams are believed to be without sin, and in Shi'ism their words and actions are sources of legal and religious guidance, like those of the Prophet with whom they share the characteristics of being without sin and having knowledge of the law (*shari'a*). The Imam is regarded as having personal

7 In Shi'ism, the family of the Prophet, *ahl al-bayt*, consists of the Prophet Muhammad, his daughter Fatima, his nephew and son-in-law Imam 'Ali, the two sons of 'Ali, Imam Hasan and Imam Husayn, and the nine descendants of Imam Husayn.

8 For detailed studies on the origins of Shi'ism, see Clarke (2001b), Halm (1997, 2001) and Momen (1985).

qualities that make him the undisputed leader of Muslims (Amanat 1988, 3, Kohlberg 1988, 25).

Religious authority in Shi'i Islam

One of the principal features of Shi'ism is the doctrine of the Imamate. The Shi'i notion of authority is based on the idea that the authority of the Prophet passed on to the Imams and, after the occultation of the twelfth Imam, devolved upon the '*ulama*' (specialists in Islamic jurisprudence), the possessors of '*ilm*' (divinely bestowed knowledge). The '*ulama*' are considered qualified to guide the community according to divine law. The infallibility of the Imams, however, did not pass on to the '*ulama*'.

33

Legitimizing the authority of the '*ulama*' required a reorientation of Shi'i thought. Indeed, interpretation of the texts was now upon fallible jurists, who needed rules and methods for deriving legal opinions from the texts. The science of jurisprudence (*usul al-fiqh*) for Shi'ism was adopted in the 11th century. It was based on the principle that legal norms could be known with certainty. This idea of certitude was attenuated in the 14th century by the introduction of the notion of *ijtihad*, the process of acquiring the most probable legal opinion, carried out by those who have the capacity to engage in such a process, the jurists. Acceptance of the principle of *ijtihad* was a crucial step in strengthening the position of the authority of Shi'i '*ulama*'. Gradually the principle of *ijtihad* became the distinctive feature of the Shi' legal system (Arjomand 1988, 3-4, 240-262). In the 16th century, the principle of *ijtihad* was linked to *taqlid* (following, imitating a model). Reinterpretations of prominent jurists set a new trend in which *taqlid* was understood as following a rightly guided and knowledgeable person whose rulings can be trusted as correct (Cooper 1988, 263-266, Momen 1985, 175).

The present-day formal relationship between religious scholars and practitioners in the Shi'i tradition has its roots in a controversy within Shi'i clerical circles, between the rationalist Usulis and the traditionalist Akhbaris, which led to the victory of the Usulis in the 18th century. The disagreement between the two schools of thought rested upon contradictory legal perspectives that implied two different views on the relationships between clergy and believers within the Shi'i community. According to the Akhbari school all

believers are equal in their endeavours to emulate the Imams, whereas the Usuli school of thought stresses that only qualified religious scholars (*mujtahids*) can give legal judgements, based on independent legal reasoning (*ijtihad*). Usuli thought also makes it compulsory for laymen to choose a living *mujtahid* as a source of emulation, the principle that is called *taqlid* (Arjomand 1988, 263, Cole 1985, 13, Cole 2002, 58-77, Mallat 1993, 46, Momen 1985, 222-225). When the Usuli school of thought eventually triumphed, the principles of *ijtihad* and *taqlid* were made legal practice. This strongly enhanced the position of the jurists, because the formal introduction of *taqlid* implied that Shi'i people from then on are divided into two groups, *mujtahids* and laity. The position of the layman changed from being a voluntary seeker of legal advice to being a believer who, at least in theory, is supposed to submit to a *mujtahid* and follow his legal opinions.

The concept of *taqlid* is construed as a shifting of responsibility: a *mujtahid* takes upon himself the responsibility for the actions of a follower (*muqallid*) who acts according to the rulings of a *mujtahid*, whereas a *muqallid*, lacking the necessary knowledge about the details of religious law, is no longer held accountable for his actions as long as he or she follows the directives of the *mujtahid*. Even though *mujtahids* are considered deputies of the Imams, the infallibility of the Imams does not extend to them because their activity is based on human understanding and knowledge (Amanat 1988, 98-102, Clarke 2001b, 48-50, Moussavi 1996, 175).

Up to the mid-19th century there were only three or four *mujtahids* at a time, but by the end of that century their number had risen to several hundreds, probably due to the new position of *mujtahids* within the Shi'i community (Momen 1985, 204). As superiority in learning was the best guarantee for correct legal opinions, lay people started to follow *mujtahids* who were known for their high level of knowledge, called *a'lamiyya*. In time, the concept of *a'lamiyya* was formalised, which meant that it became mandatory for a layman to follow the directives of not just any *mujtahid*, but only the one who was recognised as the most learned. From teachers in *madrasas* (sg. *madrasa*, religious boarding school), *mujtahids* became powerful figures. A gradual and informal process eventually led to a hierarchy among the *mujtahids*. As there were no regulatory bodies, *mujtahids* started to distinguish themselves from

others, for example by introducing and adopting the new title *hujjat al-islam* (proof of Islam) (Amanat 1988, 102, 107, Litvak 1998, 98).

In the second half of the 19th century, *mujtahid shaykh* Murtada Ansari (d. 1864) was regarded as the supreme authority. Today *shaykh* Ansari is often considered the first *marja' al-taqlid*, although this title did not yet exist at his time of life. Only in a later stage, at the end of the 19th century, was the highest in ranking in the clerical hierarchy called the *marja' al-taqlid*. The *marja' al-taqlid* was supposed to fulfil the dual role that belonged to the Imam: being a spiritual role model for all Shi'i Muslims and being the highest legal expert. After the death of *marja' al-taqlid* Mirza Hasan Shirazi (d. 1895) a pattern developed of succession of supreme authority, either by one *mujtahid* or by a small number of *mujtahids*. From then on the concept of *marja' al-taqlid* became recognised within the Shi'i community (Momen 1985, 204-205, Moussavi 1996, 35-38).

At present three titles are in use for religious authorities: *ayatullah al-'uzma* (the greatest sign of God) or in English grand ayatollah for a *marja' al-taqlid*, *ayatullah* or in English ayatollah for an established *mujtahid*, and *hujjat al-islam* for an aspiring *mujtahid* (Momen 1985, 206).

The *maraji' al-taqlid* with the largest numbers of followers today are the grand ayatollahs 'Ali al-Sistani in Najaf (Iraq), 'Ali Khamene'i in Qum (Iran), and Muhammad Husayn Fadlallah (d. 2010) in Beirut (Lebanon). These Shi'i religious authorities and their Shi'i followers in the Netherlands are the topic of this dissertation.

Shi'i Muslims in the Netherlands

Ethnic backgrounds

The majority of Shi'i Muslims in the Netherlands are from Iran, Iraq, Afghanistan and Turkey. Some smaller populations are from Pakistan, Syria, Lebanon and Azerbaijan. The first Shi'i Muslim groups that settled in the Netherlands appear to have been Turkish workers who arrived in the 1960s (Shubbar 2006). These Turks were mostly from Azeri origin. They come from cities such as Kars, Igdir, Arpaçay, Tuzluca and Aralik in the border region with

Azerbaijan (Zarcone 2007, 135).⁹ In the 1970s Pakistani families settled in the Netherlands, seeking to improve their economic situation (Abbasi 2010, 5-6, Shubbar 2006).

The largest inflow of Shi'is took place in the 1990s. From the early 1980s Iranian refugees started to arrive in the Netherlands as a direct result of the Islamic revolution in 1979. Their biggest influx was in the early 1990s (Dourleijn, Dagevos 2011, 12, Hessels 2002). Between 1996 and 2001 there was another influx, this time of Afghans. The large number of Afghan refugees was linked to the civil war that raged the country since 1979, followed by the Taliban regime that came to power in 1998 (Dourleijn, Dagevos 2011, 12, Hessels 2004). When the Taliban, who were fiercely anti-Shi'i, came to power and put the Shi'is in a very dangerous position, my Afghan interviewees and their families fled Afghanistan.

In the second half of the 90s, large numbers of Iraqi refugees also arrived in the Netherlands. They fled their country due to the repressive regime of Saddam Husayn. His regime turned out to be increasingly threatening to Shi'is after the end of the Gulf War in 1991.¹⁰ They first fled to neighbouring countries in the region. From there on they went on or ended up in refugee camps. A number of them arrived in the Netherlands as 'invited refugee'. When living in one of the refugee camps of the United Nations, they were selected to resettle in the Netherlands (Choenni 2002, Dourleijn, Dagevos 2011, 12, Tillaart, Warmerdam 2001). Indeed, several of my interlocutors mentioned that they had come to the Netherlands as invited refugees through the UNHCR, the UN's Refugee Agency.

Exact numbers of Shi'i Muslims in the Netherlands are not available. By using data from different sources, I will nonetheless attempt to make an estimation. About 10 to 13% of the total Muslim population in the world today are estimated to be Shi'i Muslims and 87 to 90% to be Sunni Muslims.¹¹

9 Zarcone points out that the Shi'i Turks from these cities mostly because of their Azeri origin – the majority of the population in Azerbaijan is Twelver Shi'i - identify as Twelver Shi'is. According to Zarcone their religion is a mix between Alevism and Twelver Shi'ism. Alevi religious practices in the 20th century were increasingly directed by Turkish students who had studied in Najaf and Qum (Zarcone 2007).

10 See 'The Gulf War and its aftermath' in Nakash (2003, 273-281).

11 See the study *Mapping the Global Muslim Population: A Report on the Size and Distribution of the World's Muslim Population* of the PewResearchCenter at <http://www.pewforum.org/2009/10/07/mapping-the-global-muslim-population/> (accessed 20 December 2015).

Twelver Shi'is constitute the major subdivision in Shi'i Islam.¹² About 86% of the Shi'i Muslims are thought to be Twelver Shi'is (Guidère 2012, 319).

Dutch statistics (CBS) estimate the total number of Muslims in the Netherlands to be around 825,000 (Schmeets, Bie 2009, 35). Based on the assumptions that 10 to 13% is Shi'i and that 86% of the Shi'is belongs to the Twelver Shi'i branch, this would mean that the number of Twelver Shi'i Muslims in the Netherlands is between 70,950 and 92,235. This estimate is based on the assumption that the Muslim community in the Netherlands is more or less representative of the global Muslim community. I am aware that there are many reasons to believe that this is not the case.

A more accurate approach may be to look at the numbers of citizens in the Netherlands from the countries of origin as registered in Dutch statistics, and to deduce the number of Shi'is on the basis of the Sunni-Shi'i ratios in those countries. In the absence of detailed data about the ratios between Twelver Shi'is and other Shi'i sects I again assume that 86% of the Shi'is is Twelver Shi'i Muslim.¹³ This is based on the implicit assumption that Shi'is are neither under- nor overrepresented among the migrants from the countries, which again is an assumption that is probably false. The calculation is made in Table 1.

On the basis of these two methods of calculation, both based on estimations, it seems reasonable to assume that the number of Twelver Shi'i Muslims in the Netherlands is somewhere between 70,000 and 92,000. Apparently there are some minor Twelver Shi'i populations from Azerbaijan, Bahrain, Lebanon and Syria. It should be noted though that both approaches do not take into account the possibility that due to political unrest and insecurity in the countries of origin as a result of ruling Sunni regimes, proportionately more Shi'is than Sunnis have left their home countries.

12 See Abdulaziz Sachedina, 'Ithna 'Ashariyyah', in Esposito (2009).

13 Other Shi'i sects that constitute minorities in different homelands are for example Ahmadiyyas, Alawis, Alevis, Bohras, Druzes, Nusayris, Yezidis and Zaydis.

Table 1. Estimated numbers of Shi'i Muslims in the Netherlands

origin	Dutch inhabitants by origin (CBS)*	% Shi'is in country of origin (PEW)**	number of Shi'is in the Netherlands min - max	number of Twelver Shi'is in the Netherlands (x 86%)min - max
Afghanistan	43,732	10 - 15%	4,373 - 6,560	3,761 - 5,641
Iran	37,479	90 - 95%	33,731 - 35,605	29,008 - 30,620
Iraq	55,236	65 - 70%	35,903 - 38,665	30,877 - 33,251
Pakistan	20,952	10 - 15%	2,095 - 3,142	1,801 - 2,702
Turkey	396,555	1,7% ***	6,741****	6,741****
Estimated total			82,843 - 90,713	72,188 - 78,955

* Dutch Statistics (CBS) figures published on 10 September 2015. See <http://statline.cbs.nl/Statweb/> (accessed 20 December 2015).

** PEW Research Center, 'Mapping the Global Muslim Population', October 7, 2009. See <http://www.pewforum.org/2009/10/07/mapping-the-global-muslim-population/#sunni-and-shia-populations> (accessed 20 December 2015).

*** According to PEW Research Center 10-15% of the Turkish Muslims is Shi'i. However, a large part of the Turkish population is Alevi, which is a Shi'i subsect. PEW makes no distinction between the different Shi'i sects. Tore Kjeilen, University of Bergen, Norway, estimates – without giving references to his sources of information - that Twelver Shi'i Muslims make up 1,7% of the Turkish population. See <http://looklex.com/e.o/turkey.religions.htm> (accessed 20 December 2015).

**** The Turkish Twelver Shi'i *shaykh* Israfil Demirtekin from Hicret Mosque in Rotterdam estimates the number of Turkish Twelver Shi'is in the Netherlands to be 10,000.

Social characteristics

In order to get a clearer picture of the Muslim groups this study covers, it is useful to sketch a picture of their social backgrounds and other characteristics. The Iranians were highly educated urbanites who spoke English upon arrival in the Netherlands. In Iran they belonged to the population with a western lifestyle. Many of them had been political activists during the revolution in Iran. The discovery that it would be practically impossible to achieve the social position and the material wealth they had had in their own country has been a disappointment to many Iranians. In the Netherlands they had to start from scratch again. For many it was also a bitter experience to be equated with

unskilled 'ethnic minorities'. By speaking English they tried to distinguish themselves (Ghorashi 2003, Hessels 2002). The vast majority of Iranians in the Netherlands have fled their country because of the Iranian Islamic revolution and do not represent the most pious segments of Iranian society. Although like other Iranians they generally identify with Shi'i Islam, especially as regards the *Muharram* rituals, the majority of the Iranians in the Netherlands are not strict followers of the religious establishment.

39

The educational level of the Afghans who came to the Netherlands was also relatively high. Half of the Afghan immigrants attended an institute of higher education in Afghanistan. 'It is more or less the intellectual vanguard of Afghanistan who came to our country,' one of the Afghan interlocutors stated. For Afghans as well, the fact remains that they cannot reach the same professional status they had in Afghanistan. Many were eventually forced to accept lower skilled jobs (Hessels 2004). My interviewees, for example, reported that in Afghanistan their father was a university professor whereas in the Netherlands he is working as a taxi driver, or a medical doctor who is now working as a male nurse in the Netherlands. Afghan immigrants are described as being quite western-oriented, as having a quite liberal interpretation of Islam, and as a group that strongly holds on to the Afghan traditions (Hessels 2004).

Of the Iraqi immigrants who came to the Netherlands 25% was highly educated, a similar percentage was not or poorly educated. More than half had completed secondary education. Again, few of the well-educated Iraqis succeeded in finding work on their old professional level, the language barrier playing a major role. Research suggests that Iraqis have little contact with Dutch people and other immigrants, and that they are strongly focused on their own ethnic community. This particularly applies to Iraqi people over 35. Older Iraqi immigrants have difficulty with the Dutch language and connecting with the Dutch. They do not identify themselves with the Netherlands and tend to see themselves as persecuted persons or political refugees. Those who came to the Netherlands at a younger age usually feel better at home than their older compatriots (Choenni 2002, Tillaart, Warmerdam 2001).

Most of the Iranian, Afghan and Iraqi immigrants only stayed in asylum centres for a short time. After having received their residence permits, they were soon assigned houses. Most of my interlocutors, who at that time were

young children, keep warm memories of those experiences. One of them said, 'After only seven weeks in the refugee centre we got a house with large rooms, a fridge that was already packed with all the food and drinks we needed, and a bunch of flowers! It was truly paradise.' Because of the Dutch allocation policy, there was no concentration of Shi'i refugee groups in the large Dutch cities in the Randstad. Instead, most refugee families ended up in smaller municipalities throughout the Netherlands, where they often were the only Muslim family and the only Muslims at school. As a result, for those who came to the Netherlands at a young age, Dutch became their first language. All my interlocutors have the Dutch nationality. Where I designate my interviewees as Iraqi, Afghan, and the like, I am referring to their ethnic-national background.

The Netherlands, a changing context

Shi'i Muslim youth's negotiations regarding religious identity and practice take shape in a Dutch environment in which religion is no longer central to the construction of identity due to social changes that have unfolded from the 1960s (Van Rooden 1996, 45, Van Rooden 2010, 72).

Before the 1960s pillarisation was a prominent feature in Dutch society. Civil society organisations were based on religion or beliefs, and social life, whether education, sports or even shopping, took place within one's own pillar. As described by the anthropologist Van Rooden, each of these pillars constituted a moral community, which strove to maintain a social separation from the others. Within these moral communities sharp boundaries were drawn in terms of authority and morality, such as between the laymen and the clergy, between men and women, between the church and the world, and between holy and weekdays (1996, 43).

The 60s became known as the years of social and cultural revolution. Standards of living were rising, there was greater social mobility, and the housing shortage decreased by the construction of new residential areas, which by their uniformity blurred the socially different positions in society. Netherlands turned into a consumer society. The rise of the welfare state made pillarisation less relevant, and television created a modern mass culture. These

developments empowered the Dutch people. There was growing opposition against patriarchal forms of authority and the strict sexual morality. The feminist social movement fought for equal rights for men and women, and for individual freedom and autonomy (Mepschen, Duyvendak & Tonkens 2010, 965) .

As a result, these developments brought about a process of secularisation that turned the Netherlands from one of the most religious countries into one of the most secularised countries of Europe within a period of 20 years (Van Rooden 1996, 17, 45, Van der Veer 2006, 118-119). As Dutch public discourse became secular discourse, religion was no longer involved in the modern social imaginary of the Netherlands. Where the Dutch used to belong to a 'pillar', which involved commitment to a group and an imposed social identity, they now became individuals who were tolerant towards each other's choices and lifestyles (Van Rooden 2010, 71).

These days, we see a secular discomfort with religion, as Beekers remarks. In public discourse on religion, religious adherents are framed as 'lagging behind.' In this discourse, Beekers suggests, particularly (what are seen as) orthodox, conservative and strongly communal forms of religiosity tend to be perceived sceptically as remnants of the past (2015, 36-37). Many Dutch people consider their newly acquired freedoms as being entirely at odds with orthodox religiosity in general. These predominant attitudes towards orthodox forms of religiosity also affected the way in which Islam is perceived. The Muslim form of religiosity, which reintroduced the visible presence of religion in the public sphere and the commitment to religious scripture as truth, is a sign of backwardness in the eyes of many Dutch people (Van der Veer 2006, 119-120).

Since the 1990s, secularist discourse has been strongly shaped by the public debate on immigrants, and especially on Islam. In this debate Islam has increasingly been identified as an obstacle for the emancipation of women and the main problem hampering the integration of immigrants. One of the earliest statements of Islam as a supposed threat to the Dutch secular-liberal nation was made by Frits Bolkestein, at that time the leader of the Dutch VVD (liberal) party, in a speech delivered to the International Liberal Conference in Luzern in 1991. Bolkestein argued that Muslims should adapt to Dutch norms and values. He criticised the Dutch policy of integration, which was founded on the idea of preservation of identity, because aspects of the Muslim culture

were at odds with some basic universal values of liberalism ‘that cannot be negotiated’, such as the separation of church and state, freedom of expression, tolerance and non-discrimination.¹⁴

42 From the year 2000, voices that consider Islam to be irreconcilable with western values, such as freedom, democracy, equality and tolerance, have gained influence in the public debate (Roggeband, Verloo 2007, 276-280, Sunier 2010, 124-126, Vellenga 2008). In the wake of the assaults of 9/11, the murdering of Theo van Gogh, and the bombings in London and Madrid, Muslims started to be associated with fundamentalism, terrorism, radicalisation, and disloyalty (Douwes, Koning & Boender 2005, 148-152, Shadid 2006, 18-19, Sunier 2010, 126-127) .

In this dissertation I will discuss the effect of Dutch perceptions of Islam and the Dutch public debate on Islam on Shi‘i youngsters’ ways of dealing with Shi‘i religious precepts.

14 See website NPO, <http://www.npogeschiedenis.nl/speeches/nederlandsespeeches/natie-in-verwarring/Toespraak-Frits-Bolkestein-te-Luzern-met-kritiek-op-het-Nederlands-integratiebeleid.html> (accessed 20 December 2015).

2

The Internet *marja*'

In the previous chapter I have explained the Shi'i characteristic of the Imamate. I described how *ijtihad* (independent reasoning to arrive at a legal opinion) and *taqlid* (emulating a model) have become central notions in Shi'ism, resulting in a hierarchy among the Shi'i clergy with the *marja' al-taqlid* as the supreme authority. In this chapter I will take a closer look at contemporary Shi'i religious leadership. Key questions in this chapter are: How did the three scholars whose *fatwas* are discussed in this dissertation achieve their status of *marja' al-taqlid*? How do *fatwas* regulate the practices of ordinary believers? How do the differences between legal opinions of the religious scholars arise? What is the purpose of religious regulation for Muslims in the West? How does a *marja' al-taqlid* communicate with his followers? I will demonstrate that change is a constant factor in the Shi'i tradition, and that Shi'i religious leadership has always adapted and even made use of changing conditions and possibilities. A manifestation of this is the issuing of religious rulings for migrants to the West.

This chapter consists of three parts that aim to answer the questions raised above. The first section looks at today's supreme Shi'i religious authorities, the grand ayatollahs *sayyid* 'Ali Sistani, *sayyid* 'Ali Khamene'i and *sayyid* Muhammad Husayn Fadlallah.¹⁵ The second part is dedicated to the nature of the main instrument of power of the Shi'i authorities, the *fatwa*, and the domains and territories to which the *fatwa* extends. The third and final part of the chapter is about the use of new means of communication in order to reach and expand the network of adherents.

Contemporary Shi'i religious leadership

Becoming a *marja' al-taqlid*

The process of becoming a recognised *marja' al-taqlid* is a highly informal procedure that begins with decades of study, teaching, and building networks within clerical circles and among the Shi'i lay people. Every *mujtahid*-to-be starts with a study at the *hawza 'ilmiyya* (community of learning, Shi'i

¹⁵ In Shi'i Islam *sayyids* are a religious class who claim descent from the Prophet through Fatima and the Imams. Based on this heredity *sayyids* have prestige in the Shi'i community. '*Ulama*' who are *sayyids* usually wear a black turban (Momen, 1985, 199).

seminary). The two most important centres of Shi'i learning are the *hawzas* of Najaf in Iraq and Qum in Iran.¹⁶ Once a religious student after many years of study at the *hawza* shows to be a competent jurist and moreover has the moral qualities of being just and pious, he is granted a formal document, the *ijazat al-ijtihad*.¹⁷ Obtaining an *ijaza* turns a student into a *mujtahid*, a scholar who is recognised as being competent to independently give legal opinions based on *ijtihad*. Being granted such an *ijazat al-ijtihad* is a personal matter between a student and a master teacher only. There is no further involvement of the institution of the *hawza* (Litvak 2000, 66, Stewart 2001, 155).

An *ijazat al-ijtihad* granted by a scholar of high reputation is prestigious. It can give an entry into the clerical hierarchy. For a disciple studying at the *hawza* choosing a prominent *mujtahid* may be a determining factor for his future as a respected jurist. Because building networks of patronage begins in an early stage of the study, being among students of a highly respected scholar increases the network of potential followers among one's peers, which in a later stage of the career may be of great benefit (Litvak 1998, 104-109, Mallat 1993, 38-44).¹⁸ Gaining respect, prestige and recognition within wider Shi'i circles is strongly influenced by the *mujtahid's* network, his ability to recruit followers among the students of the *hawza* and to 'organise' support among peers and laity. At this point, the tribal, familial, city and ethnic origins play an important role in building up networks of followers. 'The mass of followers are divided in their loyalties along national lines; at the very least there is a general Arab Persian divide', Jabar states (2002, 74-75). Apart from knowledge, determining factors for gaining loyalty are the social, political and economic situation at a specific time and in a specific country or region. For those belonging to the religious establishment these same factors, plus technological developments, as I will discuss later, greatly affect the character of their *marja' iyya* (office of the religious authority).

A *mujtahid* who wants to claim the status of *marja' al-taqlid* announces this by publishing a *risalat al-'amaliyya* (treatise with practical instructions). A *risala* is a collection of the *mujtahid's fatwas* directed to the laity, providing rulings for

16 The rivalry between the *hawzas* of Najaf and Qum is discussed in Stewart (2001).

17 The formal conditions to become a *mujtahid* are: maturity, being male, being of legitimate birth, and being faithful, intelligent, and just (Momen 1985, 202).

18 A good image of the *hawza* in Qum in the second half of the 20th century, blending religious, political, cultural and national Iranian perspectives from the view of a *hawza*-student is given in Mottahedeh (1985).

their everyday needs (Stewart 2001, 154-157). Often the death of a *marja'* is an opportunity for a *marja'*-to-be to reach the status of *marja' al-taqlid*. When a *marja' al-taqlid* dies this means a rearrangement of positions within the clerical hierarchy. A layman is not allowed to start following a deceased *marja' al-taqlid* and followers of a deceased *marja'* have to choose a new source of emulation to commit themselves to. Senior *mujtahids* should express their candidacy to take up the mantle of the deceased *marja' al-taqlid*. A quite recent example of such a process was a statement by the Iranian grand ayatollah Yusuf Saane'i in which he announced that he wished to continue Montazeri's work. The statement was published only one day after the death of grand ayatollah Husayn 'Ali Montazeri (1922-19 December 2009).¹⁹ Because there is no official registration of leadership the result of such 'campaigns' cannot be measured. It can take quite some time, even years, before the new relationships within the religious establishment become clear. Nevertheless, Saane'i is now, in 2015, considered as Montazeri's successor.²⁰

A living *marja'* is not entitled to appoint his successor. By contributing to the good reputation of one of his former students, he can however enhance the opportunity of his pupil to be his successor after his death. His successor obviously adheres to the same ideas. The major advantage of being supported by a living *marja' al-taqlid* is that his network of institutions and his community of followers after the death of the deceased *marja'* can pass on to his successor (Mallat 1993, 57-58, Moussavi 1996, 190-206).

The decision to follow a specific *marja' al-taqlid* is a personal one of the

19 Grand ayatollah Saane'i's statement was published on his website 20 December 2010, <http://saanei.tk/?view=02,01,01,16,0> (accessed 3 December 2012). Iranian state-controlled media probably ignored the topic, but publications are to be found on Iranian-American websites run by native Iranians living in the United States, for example <http://www.payvand.com/news/10/jan/1048.html> and <http://www.niacinsight.com/2010/01/06/grand-ayatollah-saanei-succeeds-grand-ayatollah-montazeri/> (accessed 3 December 2012). Montazeri and Saane'i being both reformist religious leaders and opponents of the Iranian regime, Saane'i tried to attract the followers of Montazeri to his guidance and office. On 2 January 2010 a high clerical body declared that Saane'i was no longer qualified for emulation as a *marja' al-taqlid*. See <http://edition.presstv.ir/detail/115179.html> (accessed 13 February 2014). During my visit to Qum as a guest of al-Mustafa University, February-March 2010, I have requested repeatedly, and against my better judgement, to arrange a meeting with grand ayatollah Saane'i. These requests were simply ignored, until on the last day of my stay I was told that such a visit was impossible.

20 See article *Iran at the crossroad. The role of the clergy* by Farian Sabahi on the website of the Italian Institute for International Political Studies, <http://www.ispionline.it/it/pubblicazione/iran-crossroad-role-clergy>, and *Iran Unrest Could Boil Over Jan. 16* of CBS News by Iason Athanasiadis, <http://www.cbsnews.com/news/iran-unrest-could-boil-over-jan-16/> (accessed 13 February 2014).

believer. By declaring one's *taqlid* of a specific *marja' al-taqlid*, the believer establishes a link with that specific *mujtahid*. This linkage generates a sense of loyalty to the *marja'* that expresses itself in two ways. First, a layman acts in accordance with the rulings of the *mujtahid* of choice. Second, the believer pays his *khums*, which is a specific Shi'i religious tax, to the *mujtahid* he follows.²¹ In earlier times this religious tax was paid to the Imam. Already from the tenth century onward the incurring of *khums* was part of the tasks of the '*ulama'*' (Calder 1982, Sachedina 1980, 283-289).

Official records to track the number of followers of a *mujtahid* are lacking. Nevertheless there are methods to estimate the ratios between the following of each *marja' al-taqlid*. An informal indicator is the number of people and clerics visiting the office of their *marja' al-taqlid* in Mecca during *hajj* season (Khalaji 2006, 6-7, Norton 2011, 135).²² *Maraji' al-taqlid* all have an office in Mecca during this Islamic month, for two reasons: first, to inform followers about the legal rulings for *hajj*, and second, to collect religious taxes from their followers. Practitioners who perform the *hajj* in general use the opportunity to transfer their *khums* savings to the office of their *marja' al-taqlid* in Mecca, which they visit anyway to get instructions on how to perform the *hajj* correctly. This explains why the number of visitors to the Meccan offices of a *marja' al-taqlid* are considered an indicator for his 'popularity'.²³ The large sums of money that are paid to the offices of the *maraji'* in Mecca during *hajj* season are sent back to the main office of the *marja' al-taqlid*.

It is obvious that large *khums* incomes add to the power, prestige and reputation of *marja'*, since redistribution of the tax is done in his name. A *marja' al-taqlid* is supposed to spend the money for the benefit of Shi'i Islam and of Shi'i Muslims. The money is used for things such as maintenance of the *hawza*, spreading Islam, and assistance to the needy on behalf of the Imams (Halm 1997, 91-94, Khalaji 2006, 6-7, Mottahedeh 2014, 10, Walbridge 2001, 238).

21 *Khums* means 'one fifth' in Arabic. In today's practice *khums* amounts around one fifth of a practitioners' year savings, that is, what remains of one's year income after the annual expenses. Based on his annual income and savings a believer calculates the amount he has to pay and cedes his *khums* to the *marja' al-taqlid*.

22 One of the religious duties for Muslims is to at least once in their lifetime make the pilgrimage (*hajj*) to Mecca during *Dhu al-Hijjah*, which is the 12th month of the Islamic calendar.

23 The practice of paying *khums* by Shi'i youth in the Netherlands will be discussed in chapter 3.

It is estimated that nearly eighty percent of the Shi'i believers follows Sistani (Khalaji 2006, 7, Mottahedeh 2014).²⁴ In western countries, after Sistani, the late grand ayatollah Muhammad Husayn Fadlallah and grand ayatollah 'Ali Khamene'i are the most influential religious leaders, although at great distance.²⁵ From the following description of how these three religious authorities reached their position, it will turn out that the path to the *marja'iyya* is not a standard one.

Grand ayatollah sayyid 'Ali al-Sistani

Sayyid 'Ali al-Sistani was born in 1930 in the Iranian city of Mashhad. He spent his first years of religious studies at the *hawza* of his place of birth and later went to Qum to study *fiqh* (jurisprudence) and *usul al-fiqh* (principles of jurisprudence, legal theory) with grand ayatollah Husayn Burujirdi (ca. 1875-1961). In 1952 he moved to Najaf to study at the *hawza*. Eight years later his teachers, the grand ayatollahs 'Abu al-Qasim al-Khu'i and *shaykh* Husayn al-Hilli, who belonged to the highest authorities of the *hawza*, granted him an *ijazat al-ijtihad*.²⁶ From then, Sistani was a teacher at the *hawza* in Najaf until the death of grand ayatollah al-Khu'i in 1992.

Sistani's reputation was established before the death of his mentor. Being his most promising student, grand ayatollah al-Khu'i had promoted Sistani's good reputation. He publicly showed his preference by having Sistani lead the Friday prayer in his private mosque al-Khadra in the shrine complex of Imam 'Ali in Najaf in the years previous to his death. Ayatollah Sistani also was the one who led the public burial ceremony of grand ayatollah al-Khu'i. In the years after the passing away of grand ayatollah al-Khu'i consensus was reached among his peers in Najaf that Sistani should be Khu'i's successor (Buchta 2004, 347, Rizvi 2010, 1307).

24 Other influential religious authorities at present are considered Muhammad Sa'id al-Hakim, Muhammad Ishaq al-Fayyadh and Bashir Husayn al-Najafi in Najaf, and Muhammad Fadil Lankarani, Nassir Makarim Shirazi, Lutfullah Safi Gulpaygani, Yusuf Saane'i, Abdulkarim Musavi Ardebili, Musa Shubairi Zanjani, Husayn Vahid Khurasani, Mirza Jawad Tabrizi, Muhammad Taqi Bahjat (d. 2009), Husayn Nuri Hamedani, Sadiq Shirazi and Muhammad Sadiq Husayni Ruhani. See Khalaji (2006, 7).

25 See Takim (2009, 149) and Böttcher (2007, 213).

26 See biography of ayatollah 'Ali al-Sistani on his websites, www.sistani.org and www.najaf.org (accessed 8 October 2012).

Due to severe pressure from the Ba'ath government during the later decades of the 20th century the *hawza* in Najaf was in crisis. Many Iranian and Iraqi clerics and students took refuge in Iran. The few clerics who remained in Najaf were under constant scrutiny of the state and suffered from a lack of freedom. This situation further deteriorated after the death of grand ayatollah al-Khu'i, after which Sistani was placed under house arrest. After the regime forced Sistani to stop teaching in 1999 the *hawza* practically closed down (Buchta 2004, 348-349, Khalaji 2006, 11, Nakash 2003, 259). After the collapse of the regime of Saddam Husayn, the situation for the *hawza* in Najaf improved tremendously.

Today, Sistani with three other senior clerics embody the *marja'iyya* in Najaf and run the *hawza*. Next to grand ayatollah *sayyid* Sistani we find grand ayatollah *sayyid* Muhammad Sa'id al-Hakim (born in Najaf, 1934), grand ayatollah Muhammad Ishaq al-Fayyad (born in Ghazni, Afghanistan, 1929) and grand ayatollah Bashir Husayn al-Najafi (born in Jalandhar, India, 1942). Sistani is the *primus inter pares* of these four, who cooperate collectively (Cole 2004, Hamoudi 2009, 1, Nakash 2006, 7, Rizvi 2010, 1308). Of these four, grand ayatollah Sistani has the largest following in the Shi'i world today. This is partly due to his personal characteristics, such as a high level of scholarship and piety, as well as to his 'aura of sanctity', but especially to his being the successor of the revered late grand ayatollah Khu'i. The leading figures within Khu'i's international network strongly supported Sistani's candidacy in the early 1990s that has enabled him to become the leading *marja' al-taqlid* in Najaf. They are still the most important representatives in Sistani's Iraqi and international network (Khalaji 2006, 8-9, Rizvi 2010, 1307).

As for the lay people, many Shi'is are simply loyal to 'Najaf' and choose to follow the most prominent *marja'* of the *hawza* in Najaf (Walbridge 2001, 240-241). Of the four *maraji' al-taqlid* in Najaf, grand ayatollah al-Hakim pays particular attention to Shi'i Muslims living in the United States and Europe. He has published the book *Muslim Guide: Guidance and Edicts* for Muslims living in non-Muslim countries.²⁷ Hakim's son, *sayyid* Riyad al-Hakim, who acts as his father's representative and holds the office of *marja'* al-Hakim in Qum, has paid

27 See website of grand ayatollah al-Hakim, <http://english.alhakeem.com/pages/book.php?bi=156&itg=1&s=ca> (accessed 14 February 2014).

visits to the Netherlands in 2009 and 2010.²⁸ I will therefore occasionally refer to the publication of grand ayatollah al-Hakim and his son in this study.

50 In spite of the fact that grand ayatollah Sistani seldom leaves his residence, he makes sure that he is well informed. His modest home in a small street close to the Imam 'Ali shrine is also his office, which is led by his son Muhammad Rida al-Sistani. Every day during a one hour gathering clerics, representatives, politicians, officials and ordinary visitors are allowed to pay ayatollah Sistani a visit. Although these semi-private sessions offer no opportunity for in-depth interviews or conversations, these gatherings are for the ayatollah one of the ways to derive firsthand information about actual news in the region and the world. In order to stay informed about the world news Sistani also reads the prominent Iraqi and Iranian newspapers and the news selected by his offices from English websites, translated in Persian or Arabic (Khalaji 2006, 11-12, Rizvi 2010, 1308).

Grand ayatollah Sistani has very much benefited from being the successor of grand ayatollah al-Khu'i, who left him his good reputation and the worldwide network of Shi'i institutions that he established in the 1980s during the Iran-Iraq war (1980-1988). In those years the *khums* money could not reach grand ayatollah Khu'i's offices in Iran and Iraq. Khu'i found a solution by issuing a *fatwa* saying that people should not send their money to his offices but instead should find ways to use it for the benefit of the people in their own region. Consequently, from then on the *khums* money was used to build mosques, hospitals, schools, libraries, orphanages and the like in the whole Shi'i world, all associated with Khu'i's name. After the Iran-Iraq war had ended, grand ayatollah Khu'i established his Imam al-Khu'i charity foundation in London (Walbridge 2001, 239).

Having millions of followers and a worldwide network of offices, Sistani's annual revenues are estimated to be between \$ 500-700 million and his worldwide assets at \$ 3 billion. The financial base of Sistani's network is located in Qum and managed by his son-in-law Jawad Shahrastani. Sistani's network of representatives consists of thousands of *wukala'* (representatives)

28 On his website ayatollah al-Hakim points out that Shi'i Muslims living in Europe and the United States are among those he regards among his guidance, <http://english.alhakeem.com/pages/page.php?id=23> (accessed 8 October 2012).

across the world, representing the ayatollah's views and receiving the religious taxes (Khalaji 2006, 9, Rahimi 2007, 5-8).

The majority of the institutes belonging to the network of grand ayatollah Sistani are gathered in two foundations: the Imam Ali Foundation, established in 1994, with branches in Qum, London and Beirut, and the Aalulbayt Global information centre, created in 1998, based in Qum, with eleven branches. Furthermore his network comprises a range of libraries and research centres in Qum and Najaf. The main European offices of ayatollah Sistani are located in London. The largest office is the headquarter of the Imam al-Khu'i foundation in London which now belongs to ayatollah Sistani's network. This foundation holds branches in the United States, Canada, France, Pakistan, India, Thailand, Iraq and Iran. The Imam Ali foundation in London, run by Sistani's son-in-law *hujjat al-islam sayyid* Murtada al-Kashmiri, manages ayatollah Sistani's activities in Europe, the United States and Africa. This foundation is responsible for the translation of ayatollah Sistani's works and their publication in Europe, religious guidance of practitioners in Europe, and the network of representatives in the continents mentioned above (Khalaji 2006, 10-11).

51

During the reign of Saddam Husayn a large number of the Iraqi Shi'i *mujtahids* fled to Iran but also to the western world, in particular to Great Britain and the United States. Those of them now holding positions as *wukala'* (representatives) of grand ayatollah Sistani have never opposed the West, thus following their religious leader Sistani and his predecessor Khu'i, who both chose a quietist position with regard to politics (Walbridge 2001, 242-243). Traditionally, religious scholars of the *hawza* of Najaf follow the quietist Shi'i tradition. This tradition demands from an ayatollah, as a representative of the Imam, to remain totally aloof from all political matters, but during times of moral decadence, political corruption, serious injustice, or foreign occupation, to become more active in politics by offering advice, guidance and even the promotion of sacred law in public life (Rahimi 2007, 9).

Despite his reputation of abstaining from political involvement and getting directly involved in worldly affairs, grand ayatollah Sistani has taken a pragmatic attitude in dealing with the presence of the United States in Iraq, which started in 2003. For a short period of less than two years, the quietist Sistani played a major political role. He called for democratic elections and for

the institutionalisation of a legitimate Iraqi government. After the end of 2004, Sistani's office returned into silence and remained so, although there was a demand for his guidance during the elections in 2005 (Visser 2006, 2-3, 16). Sistani's appeal for democratic elections have their origin in the Shi'i tradition in which clerics are not leading in state affairs but act as protectors of Islam, guides of the Muslim community, and figures securing a just relationship between the ruler and the citizens (Rahimi 2007, 8-9).²⁹ Sistani even left the idea of a council of guardians to have clerical influence in the national Iraqi assembly. Rahimi argues that Sistani's thought regarding clerical political interference in fact is close to those of reformist Iranian thinkers such as Mohsen Kadivar and Abdolkarim Soroush, who are opposed to clerical domination in national politics and elections (Rahimi 2007, 10).

Grand ayatollah Sistani's *fatwas* of 2003 and 2004 demonstrate that in his view the political involvement of clerics should be limited to the defence of Islam and the Muslim community. A more recent illustration of this is Sistani's statement in June 2014, when the Islamic State/Daesh captured the Iraqi city of Mosul. In this statement he spoke of the necessity to unite and strengthen efforts to stand in the face of terrorists and increase protection of citizens, which made tens of thousands coming forward as volunteers.³⁰

With the rejection of absolute clerical power over state affairs, Sistani implicitly rejects the concept of *wilayat al-faqih* as it was introduced by the late ayatollah Khomeini in Iran (Nakash 2006, 8-9, Rahimi 2007, 9-10, Visser 2006, 13-14).

Grand ayatollah sayyid 'Ali Khamene'i

Sayyid 'Ali Khamene'i was born in 1939 in Mashhad in a poor, pious family as the son of a clerical father from Azeri origin. 'Ali Khamene'i studied in Najaf and Qum. In Qum, where he studied in his early twenties, ayatollah Khomeini, the later leader of the Islamic Revolution of Iran, became his political mentor.

29 The democratic tradition dates back to the Constitutional Revolution in Iran, former Persia, in 1906-1911, during which some grand ayatollahs, like for example Muhammad Husayn Na'ini, advocated democratic government with only limited clerical interference with state affairs in the form of a clerical council of guardians to secure the ideals of Islam in national politics (Nakash 2006, 9-10).

30 See the website of grand ayatollah Sistani, <http://www.sistani.org/arabic/statement/24906/> (accessed 21 September 2015) and Mottahedeh (2014).

Ayatollah Khomeini developed the innovative theory of *wilayat al-faqih* (mandate of the jurist).³¹ Whereas traditional Shi'i theory says that the political authority of the infallible Imams is not fulfilled during their time of disappearance and that only their religious authority is transferred to the Shi'i jurists, the theory of *wilayat al-faqih* claims that both political and religious authority devolve upon the religious jurists during the occultation of the twelfth Imam. Khomeini's theory also includes that, in case one of the Shi'i jurists succeeds in establishing a government, other jurists have the obligation to follow him. This statement not only sharply contrasts with the traditional Shi'i principle that a jurist has no authority over another jurist, it even means that the traditional independence of *mujtahids*, and therefore the independence of *maraji' al-taqlid* too, is undermined (Arjomand 2009, 21-22).

With the Islamic Revolution in 1979 Iran became a theocratic state governed by a theocratic government that was led by the *faqih*, ayatollah Khomeini. Grand ayatollah Khu'i (1899 – 1992) from Najaf, who was the most widely followed *marja' al-taqlid* at the time of the Islamic Revolution, rejected the theory of *wilayat al-faqih*. Some clerics in Iran neither fully supported this theory. Those opposing to the concept of theocratic government were silenced, but even the supporting ayatollahs had various opinions regarding the precise institutionalisation of *wilayat al-faqih* (Arjomand 1989, 156-157).

A few years after the Islamic Revolution the issue of imam Khomeini's succession was addressed. In 1985 the Assembly of Experts chose grand ayatollah Husayn 'Ali Montazeri as his successor (Arjomand 1989, 162, Keddie 2003, 255).³² However, in subsequent years grand ayatollah Montazeri became increasingly controversial for protesting Khomeini. February 1988 the Assembly of Experts, convened by Khomeini to discuss the position of Montazeri, forced the latter to resign as imam Khomeini's designate successor (Keddie 2003, 260-261).³³ Since none of the ayatollahs fully accepted *wilayat al-faqih*, Khomeini and the constitutional committee that he had been installed,

31 In Persian the term is *velayat-e faqih*. A *faqih* is a legal scholar, a *mujtahid*.

32 The Assembly of Experts, consisting of 73 elected members, was assigned in 1982 to control the final draft of the constitution, in which the institutionalisation of the doctrine of *wilayat al-faqih* was a major issue, and to determine the issue of succession of grand ayatollah Khomeini (Arjomand 1989, 162, Arjomand 2009, 28, Keddie 2003, 247).

33 When a *marja'* is referred to as imam (literally 'prayer leader'), such as ayatollah Khomeini, it means the highest (political and) religious leader and it is not meant to put him on a par with the Imams (Ende 2010, 61).

were forced to redefine the qualifications of the future *faqih*. In a revised constitution the position of *faqih* got a more political and a less religious nature, whereas beforehand the constitution stressed the religious qualifications of the *faqih* (Arjomand 2009, 35, Keddie 2003, 260-261).

54

Imam Khomeini died on June 3, 1989. The day after his death, the Assembly of Experts elected *sayyid* 'Ali Khamene'i as Khomeini's successor. All of Khomeini's political titles were transferred to Khamene'i, who had been *rahbar* (leader) of the Islamic Republic of Iran from 1981 until 1989 already. A first problem to be resolved was that *sayyid* 'Ali Khamene'i did only have the religious rank of *hujjat al-islam* (proof of Islam), hence a *mujtahid* but not a *marja' al-taqlid*. Although he was quickly given the title ayatollah, the Iranian government put forward the senior *mujtahids* Gulpaygani and Araki and presented them to the Iranian Shi'is as recommended sources of emulation. These two *mujtahids* died in 1993 and 1994 respectively. Efforts to then recognise Khamene'i as a grand ayatollah were rejected by professors of the seminaries of Qum, who in majority wanted to stick to the traditional principle of superiority in learning (Arjomand 2009, 175, Keddie 2003, 261-262).

As a side step, Khamene'i claimed that his *marja'iyya* would only be effective outside Iran and that he had no intention of being a *marja' al-taqlid* inside Iran (Arjomand 2009, 174-175, Walbridge 2001, 236). This evoked strong reactions both among Shi'i *mujtahids* and lay believers. First, Shi'i Muslims outside Iran considered Khamene'i a *hujjat al-islam* who lacked the qualifications of a *marja' al-taqlid*. They felt deprived of their right to choose themselves which *marja' al-taqlid* they wanted to emulate (Walbridge 2001, 235-236). Second, ayatollah Fadlallah in Lebanon did not recognise the religious authority of Khamene'i and instead turned to grand ayatollah Sistani, the successor of Khu'i (Arjomand 2009, 175, Walbridge 2001, 239). After the crisis surrounding his *marja'iyya*, ayatollah Khamene'i initiated a restructuring process to get bureaucratic and financial control over the religious institutions in Iran. He reorganised the system of collecting and distributing religious taxes of all *maraji' al-taqlid* in Iran into a Statistics Office of the Hawza Management Centre. Presently this Statistics Office is supposed to monitor the personal office and financial system of each *marja'* in Qum (Khalaji 2006, 9, 28-31). At the present time, ayatollah Khamene'i's control over Shi'i networks goes far beyond the borders of Iran, from Iraq to the Gulf countries to Lebanon. By donating large sums of money

to religious institutions and charities all over the Shi'i world ayatollah Khamene'i legitimises his claim of being the spiritual leader of all Shi'i Muslims worldwide (Khalaji 2006, 35, Sadjadpour 2008, 22).

Khamene'i has a network of Islamic foundations in Europe. The major foundations are established in London. The Islamic College for Advanced Studies is a training institute presenting itself as a *hawza*, whose degrees are validated by Middlesex University and by al-Mustafa University in Qum. Furthermore there are two community centres in London, the Islamic Universal Association and the Islamic Centre of England. On the European continent the major Iranian foundation is the Imam Ali mosque in Hamburg, which is known as the Islamic Centre Hamburg and serves as a community centre. The establishment of the Imam Ali mosque in the early 1960s was funded by the late grand ayatollah *sayyid* Husayn Burujirdi (1875-1961) from Qum, who was the sole *marja' al-taqlid* in his time (Mottahedeh 1985, 231).³⁴ Since its opening in 1965 this centre was led by prominent Iranian scholars. In its first years of existence *sayyid* Muhammad Husayn Beheshti (1929-1981) was responsible for the spiritual leadership of Iranian religious students in Germany and other countries in Western Europe. He later joined ayatollah Khomeini and became one of the architects of the Iranian revolution. From 1970 to 1978 the mosque was led by the Iranian philosopher and Shi'i theologian Muhammad Mujtahid Shabistari, a reformist thinker who strongly supported Christian-Islamic and Shi'i-Sunni dialogue.³⁵ During the years of the Islamic Revolution in Iran, from 1978 to 1980, the director of the Imam Ali mosque was *hujjat al-islam* and philosopher *sayyid* Muhammad Khatami, the later president of Iran (Bos 2012, 6-8).³⁶

34 See Hamid Algar, *Borujerdi, Hosayn Tabataba'i*, Encyclopaedia Iranica, <http://www.iranicaonline.org/articles/borujerdi-ayatollah-hajj-aqa-hosayn-tabatabai-1292-1380-1875-1961> (accessed 14 February 2014).

35 Ayatollah Muhammad Mujtahid Shabistari propagates a new *ijtihad* that goes beyond *fiqh* and *usul al-fiqh* by also studying subjects such as society, history, politics, economics, and psychology in order to grasp the daily realities of life in the present time (Shabistari 2001). See also Ahmad Ashraf, *Islam in Iran xiii. Islamic political movements in 20th century Iran*, Encyclopaedia Iranica, <http://www.iranicaonline.org/articles/islam-in-iran-xiii-islamic-political-movements-in-20th-century-iran> (accessed 14 February 2014) and the interview of Fatma Sagir with Shabistari, *Muslims Can Have Democracy without Having to Leave Islam*, <http://en.qantara.de/content/interview-with-mohammad-mojtahed-shabestari-part-2-muslims-can-have-democracy-without-having> (accessed 14 February 2014).

36 See website of the Imam Ali mosque, <http://en.izhamburg.com/Ueber-das-Islamische-Zentrum-Hamburg/> (accessed 14 February 2014).

Grand ayatollah sayyid Muhammad Husayn Fadlallah

56 *Sayyid* Muhammad Husayn Fadlallah (1935-2010) was born in Najaf to a prominent religious but poor family. Like Khamene'i and Sistani, Fadlallah's family descends from the Prophet. His father originally came from the southern part of Lebanon. During his years at the *hawza* of Najaf, Fadlallah studied with grand ayatollahs Muhsin al-Hakim and Abu al-Qasim al-Khu'i and he became closely associated with the reformist scholar Baqir al-Sadr, founder of the Iraqi Da'wa party. During the years at the *hawza*, Fadlallah was drawn into political developments in Iraq. The rise of communism in the 1950s was perceived a big threat to Islam in the *hawza* circles. In order for Islam to remain relevant for the youth generation, some young clerics, amongst them *sayyid* Fadlallah, thought that Islam should become a theology of liberation, answering the desire of youth for political, economic and social justice (Kramer 1997, 89).

Inspired by the spirit of the time, *sayyid* Fadlallah chose not to stay within the tradition of the *hawza* of Najaf, where he had good prospects. Instead he committed himself to the survival of Islam by working with Muslims on grassroots level. He decided to move to Lebanon, where he had contacts and was invited to give religious education and legal guidance to the local faithful in the Nab'a quarter, in the eastern suburb of Beirut, called Burj Hammud. The population in this area was a mix of Christian Armenians, Syrian Kurds and Alawites, Shi'i Muslims and Palestinian refugees, the latter two groups forming the majority. When Fadlallah settled there in 1966 he soon found out that the Shi'i population living in this area was not a community but rather a fragmented group of impoverished and poorly skilled migrants from southern villages of Lebanon, whose search for a better life was not materialised and who distanced themselves from Islam.

The Nab'a neighbourhood lacked infrastructure and facilities such as religious institutions. Fadlallah's first step to re-engage youth with Islam was the opening of a *husayniyya*, which developed into a centre of religious gatherings, worship and discussion.³⁷ It also became a place for intellectual debate and symposia that concerned cultural, social and political issues. During the month of *Muharram*, traditionally the month in which the martyrdom of the

37 A *husayniyya* is a place used for mourning gatherings and other Shi'i commemorations, named after and built in honour of Imam Husayn.

Prophet's grandson Husayn is commemorated, Fadlallah tried to link the significance of Husayn's death to the daily conditions of modern life of Shi'i Muslims. Moreover, he invited Sunni and Christian dignitaries to participate in the *Muharram* ceremonies as a means to create interconfessional ties. The *husayniyya* further transformed into a mini-*hawza* where Fadlallah created a community and started giving sermons and lectures. Characteristic for his approach was the question-and-answer session after his speeches, with which he created the opportunity for dialogue with Shi'i youth (Kramer 1997, 91-92, Sankari 2005, 128-133).

In 1975 an age filled with socio-political upheavals and violent conflicts started. The Lebanese civil war (1975-1990), wars with Israel, and the Israeli occupation of southern Lebanon deeply affected Fadlallah's life and work and his international image. With the outbreak of the civil war, Shi'i Muslims were forced to leave the district of Nab'a. For *sayyid* Fadlallah this meant that his work of ten years was lost. His community was displaced and he himself lived for a short time with his family in the south of Lebanon, saved from hunger by charity of South Lebanese natives that by that time lived in the United States and West Africa (Kramer 1997, 97-99, Sankari 2005, 154-160). When the south of Lebanon was attacked and occupied by Israel in 1976 the population was adrift again. Like many of them, *sayyid* Fadlallah settled in the southern quarter of Beirut, called al-Dahiyya. This quarter would become the basis of his leadership for the rest of his life.

A major step in Fadlallah's position was his designation as the official *wakil* of ayatollah al-Khu'i from Najaf, in October 1976. This made him a prominent cleric and gave him the exclusive right to collect the religious taxes, to issue religious opinions in accordance with the legal methodology of his master al-Khu'i, and to disseminate his ideas. In the name of Khu'i *sayyid* Fadlallah established the *al-Mabarrat* Charity Foundation (*jam'iyyat al-mabarrat al-khayriyya*) in 1978. This organisation focused on the development of social projects, like schools, colleges, hospitals, libraries, orphanages and social centres.

Fadlallah's interest in and commitment to the everyday life and hardship of people made him popular and enhanced his reputation as a religious leader. Two developments occurring in the same period facilitated the ascent of Fadlallah's religious leadership. The first was the return of a group of one

hundred young Lebanese students from Najaf to Beirut, owing to the expelling of foreign students by the Iraqi government. By offering a number of them a position in the religious schools and institutes of the expanding *al-Mabarrat* association Fadlallah created his own circle of protégés. The second was the disappearance of the Shi'i religious and political leader Musa al-Sadr during a visit to Libya in August 1978, an event that has remained unclarified to this day. When Fadlallah settled in Lebanon the Iranian born Musa al-Sadr already was a popular religious leader. His disappearance meant that he no longer overshadowed Fadlallah (Aziz 2001, 206-207, Kramer 1997, 99-101, Sankari 2005, 159-162).

During the years of turmoil in Lebanon a major event in 1979 was the Islamic Revolution in Iran, which much appealed to the imagination of Shi'i Muslims. *Sayyid* Fadlallah embraced both the revolution and the concept of *wilayat al-faqih* (guardianship of the jurist). Yet the traditional, quietist and apolitical grand ayatollah al-Khu'i, whose official representative he was, did not subscribe Khomeini's theory of the guardianship of the jurist. *Sayyid* Fadlallah, who had been politically active from his years at the *hawza* in Najaf, explained his position by stating that the authority of grand ayatollah al-Khu'i represented the sphere of religious juridical matters, whereas imam Khomeini's authority reached the sphere of political leadership in a state. He disagreed with Khomeini's claim for the *wilayat al-faqih* as one single and universal Shi'i authority. In Fadlallah's view the concept of *wilayat al-faqih* was bound to the political boundaries of a state, whereas the *marja'iyya* was about the religious leadership of the entire Shi'i community, which transcended such political boundaries (Aziz 2001, 212-213, Kramer 1997, 162-163, Sankari 2005, 176-177).

Ayatollah Fadlallah's political engagement during the Lebanese civil war led to an unexpected international reputation that would haunt him for the rest of his life. The Israeli occupation of south-Lebanon led Shi'i Islamists to found movements and organisations that aimed to fight the Israeli military activities. Fadlallah was an intellectual leader and inspirator of one of them, Hizbullah, which was founded in 1982. Although Fadlallah was never the formal leader of the movement and has always denied formal connections, he was a spiritual source of inspiration for at least a part of Hizbullah's leading figures. Western media and intelligence services accused him of being directly involved in Hizbullah's activities, including suicide attacks. This had many political

repercussions and led to an attempt to assassinate him. Fadlallah managed to use his awkward position by defending himself and getting rid of suspicions in interviews to journalists of national and international media, thereby creating a platform to make his voice heard (Kramer 1997, 106-114, Rosiny 2001, 209, Rosiny 2010, Sankari 2005, 205-209). From then on, he knew how to use the media to proclaim his message.

Despite his political commitment that was mainly reflected in his pro-Palestinian and anti-Israel stance and his fight against western imperialism, Shi'is in Lebanon emphasise *sayyid* Fadlallah's religious leadership (Deeb 2006, 55). This is due to his lectures, sermons and debates with laypeople and to the activities of his *Mabarrat* association, a means for Fadlallah to put into practice his view that '*ulama*' should be committed to laypeople and be engaged with society instead of keeping isolated from it. Fadlallah believed that legal discourse of the '*ulama*' should guide laypeople, especially Muslim youth, by engaging with their social and economic conditions (Abu-Rabi' 1996, 222-238, Aziz 2001, 206-207). He put this into practice in al-Dahiyya.

As the *wakil* and strong supporter of grand ayatollah al-Khu'i, Fadlallah had the allegiance of traditionalist believers in Lebanon. His reputation among radical Shi'is boosted when grand ayatollah Khomeini recognised Fadlallah's influential position in the country and granted him an *ijazat al-ijtihad*. Fadlallah from then on represented both Khu'i from Najaf and Khomeini from Qum. He became the *khums* collector for both of them (Aziz 2001, 213-215).

After the death of the ayatollahs Khomeini in 1989 and Khu'i in 1992, when the field of the *marja'iyya* was open to a new generation of religious scholars, Fadlallah started to more strongly propagate his own position. He had strong ideas about the role and position of *maraji' al-taqlid* and started to criticise the Shi'i seminaries in Najaf and Qum for being irrelevant because their organisation did not meet contemporary needs. Fadlallah pointed at the necessity for reform of the curriculum and he advocated the introduction of examinations and standards for admission and graduation. He argued that due to the lack of modern standards the traditional *hawza* did not give answers to the important contemporary questions in the exercise of *ijtihad*, which in his view needed to give answers on the complexities of world politics. Fadlallah missed political orientation among the *maraji'* in Najaf and the *maraji'* in Qum after the death of Khomeini (Kramer 1997, 164-165, Sankari 2005, 263-264).

Having this opinion about political engagement of the *maraji' al-taqlid*, or rather a lack thereof, it came as a surprise that Fadlallah after the death of both Khu'i and Khomeini acknowledged ayatollah Sistani in Najaf as the most learned religious leader and openly chose not to support the Iranian leader ayatollah Khamene'i as a *marja' al-taqlid* (Sankari 2005, 256, Walbridge 2001, 239). Only a few years later, in 1995, *sayyid* Fadlallah challenged the doctrine of *wilayat al-faqih* and the authority of ayatollah Khamene'i by announcing to be a contender for the position of *marja' al-taqlid* by publishing a *risalat al-'amaliyya* (Aziz 2001, 208, Louër 2008, 200, Sankari 2005, 256). Followers and students started to refer to Fadlallah as their *marja' al-taqlid*, among them former Lebanese followers of ayatollah Khu'i who after his death choose to emulate Fadlallah. Over the years he also gained many followers in Iran, Iraq, the Gulf States and the West (Deeb 2006, 89, Louër 2008, 109, Rosiny 2010, 89, Sankari 2005, 256, 267). However, the clerical establishment in Najaf as well as the Iranian leader Khamene'i questioned his status as a *mujtahid* (Aziz 2001, 208, Sankari 2005, 256-257).

Donations from his adherents, most notably of wealthy followers in the Gulf States, allowed ayatollah Fadlallah to expand his activities. In 2003, the *Mabarrat* association supported over 3,250 orphans, 17,500 students, 350 handicapped, two hospitals as well as other medical facilities in Lebanon. Fadlallah spent some \$ 7 million to these projects. Other sources of income were the increasing flow of *khums* payments, fund raising events during *Ramadan*, and major one-time donations often from Lebanese Shi'is living in diaspora. Besides the religious funding, business profits from his petrol stations, shops, publishing house *Dar al-Malak* and restaurants provided financial resources for *al-Mabarrat*. Important positions in the management of all these activities were reserved for members of the family. With a view to the future, Fadlallah prepared his son 'Ali for the role of cleric. Already from a young age, 'Ali took the role of his father in the mosque in case of the ayatollah's absence. Another of Fadlallah's sons studied in the United States and learned more about living in American society and about interpreting American life (Clarke 2010b, 358, Deeb 2006, 88-90, Kramer 1997, 134-135).

Fadlallah's *hawza* in Beirut, *al-Ma'had al-Shar'i al-Islami* (Islamic Law Institute), which he started in his Nab'a period, in 2008 had more than one hundred students, from the first level to the highest *dars al-kharij* level. It also

had a women's section. The ayatollah established a second hawza at Sayyida Zaynab, a Shi'i shrine city outside Damascus.³⁸ This *hawza* attracted students from Iraq and the Gulf States. Ayatollah Fadlallah used to teach there on Saturdays and Sundays. Both *hawzas* were run in the modern style that Fadlallah had in mind when criticising the seminaries in Najaf and Qum. At his institutes students were required to have a high school diploma and the institutes adopted a curriculum for different stages of study and examinations. The curriculum, apart from the traditional with a focus on *fiqh* (Islamic jurisprudence) and Arabic, included western philosophy, mathematical logic, and other religions, particularly Christianity (Clarke 2010a).³⁹

Fadlallah's call for interfaith dialogue and his attempt to minimise Sunni-Shi'i differences are widely known. As a result, among members of other faiths in Lebanon and also among secular Lebanese, Fadlallah enjoys a good reputation for his modern and reformist position, as well as for his political critical attitude (Clarke 2010b, 360). Lay people in Lebanon associate the *marja'iyya* of ayatollah Fadlallah with openness, rationality and modernity. Fadlallah is known for his striving for dialogue, co-existence and co-operation among religious groups (Deeb 2006, 92). Among youth residing in western countries Fadlallah's modern interpretation of the Islamic sources make him a popular *marja' al-taqlid* (Aziz 2001, 208, Takim 2009, 93).

In his public presence, ayatollah Fadlallah was the opposite of ayatollah Sistani. Fadlallah had no objection to being in the spotlights and he did not keep aloof of journalists. Instead, he used them as a platform for spreading his views, for example by regularly giving interviews in national and international journals, from the Arab journal *al-Hayat* to the American *Washington Post* and *Wall Street Journal*.⁴⁰

38 The shrine city Sayyida Zaynab near Damascus has also political significance and became a zone of tension between Sunni and Shi'i Muslims in the later Syrian war. See Toby Matthiesen, *Syria: Inventing a religious war*, <http://www.nybooks.com/blogs/nyrblog/2013/jun/12/syria-inventing-religious-war/> (accessed 17 February 2014).

39 See 'Lebanon's Shiite seminaries split between tradition, modernity', written by Haytham Mouzahem and published in Al-Monitor on 14 April 2014, on <http://www.al-monitor.com/pulse/originals/2014/04/lebanon-shiite-seminaries-traditional-modern-approach.html#> (accessed 13 September 2015).

40 See interview of grand ayatollah Fadlallah with the journal *al-Hayat* in 2008 on http://english.bayynat.org.lb/Issues/Religious_WesternCampaigns.htm, interview with *Washington Post* in 2004 on <http://english.bayynat.org.lb/islamicinsights/washington12032004.htm>, and interview with *Wall Street Journal* in 2008 on <http://online.wsj.com/article/SB123698785743625933.html> respectively (accessed 12 October 2012).

On the fourth of July 2010 grand ayatollah Fadlallah died in 'his' Bahman hospital, a ten-storey building around the corner of his office in the Harat Hrayk quarter of al-Dahiyya. He was buried in a separate space in the Imamayn al-Hasanayn Mosque, where he used to lead the Friday prayers. On the ninth of July, a few days after the passing away of Fadlallah, his website announced that followers of the *marja' al-taqlid* can continue to emulate him in all matters and issues and that the staff, consisting of students of the grand ayatollah, will continue to take care of issues pertaining to *fatwas* or other juristic matters.⁴¹ Fadlallah's son, *sayyid* 'Ali Fadlallah, took over the ayatollah's tasks as a preacher and prayer leader in the mosque. He also got responsible for the management of the office of the late *marja' al-taqlid* and keeps the legacy of his father running, as foreseen by the grand ayatollah years earlier.

Like his father, *sayyid* 'Ali is easily accessible, according to my personal experience when I visited Fadlallah's office in April 2012. Not having an appointment, I hoped to meet a spokesman of the office. However, after a short introductory conversation with the spokesman, the head of the translation department, I was told that *sayyid* 'Ali had some spare moments to receive me. I was brought to the large reception room, richly carpeted and lined with big chairs, where after a few moments *sayyid* 'Ali Fadlallah entered. During a conversation that lasted for nearly half an hour grand ayatollah Fadlallah's son answered my questions patiently and dedicatedly. On one of my questions regarding the international network of the late ayatollah and the activities abroad, he responded that he was working on reorganising the network. Only a few weeks later, 23 May 2012, Fadlallah's office announced in a statement that *marja' Fadlallah's* foundation opened an official branch in Berlin, called *Markaz al-Hasanayn*. The statement also gave notice that other projects and offices of Fadlallah's organisation are active in Australia, Brasil, Ivory Coast and Burkina Faso.⁴²

41 See website of grand ayatollah Fadlallah, http://english.bayynat.org.lb/funeral/funeral_09072010.htm (accessed 13 September 2015).

42 Statement in Arabic sent by the office of ayatollah Fadlallah, 23 May 2012. One year later *Markaz al-Hasanayn* opened a Facebookpage in German, showing its activities and spreading religious knowledge. See <https://www.facebook.com/pages/Al-Hassanein/221052921376372> (accessed 18 February 2014).

The relationship between Shi'i authorities and believers

The Shi'i fatwa

In Islam, knowledge and authority manifest themselves in legal discourse and jurisprudence. Islamic law knows two aspects: the *shari'a* and *fiqh*. The *shari'a* is 'the divinely ordained path' which is considered sacred, eternal and universal because it comes strictly from the Qur'an and, in Shi'i Islam, the *hadith* of the Prophet and the Imams. *Fiqh* (jurisprudence) is a human attempt at knowing the *shari'a*, produced by '*ulama*' (religious scholars). It is therefore the result of a human and mundane system of interpretation. *Fiqh* not necessarily comes strictly from the Qur'an and the *hadith* alone, but also indirectly from interpretations of legal scholars. *Fiqh* has a temporal and local character. It can change depending on changes in circumstances (Abou el Fadl 2001, 32, Mir-Hosseini 2009, 25, Mottahedeh 2003, 1-4, 17, Reinhart 1983).

Since Islamic law and regulation shapes the minds and lives of Muslims, its powerful force cannot be underestimated. Whenever a Muslim is in doubt about a certain issue for which *fiqh* does not provide an answer, he or she can seek advice from a religious scholar and ask for his authoritative opinion on this specific matter. Such an advisory opinion in reply to a question of an individual questioner is called a *fatwa* (Masud, Messick & Powers 1996, 3, Mottahedeh 2003, 189). From the perspective of the jurist, a *fatwa* is an instrument to instruct people about the proper performance of a ritual or a bodily practice. It is also a tool to shape an Islamic moral attitude and to regulate social practice. This broad and powerful range stems from the system of Islamic law, in which all human acts are categorised in a classification system consisting of five categories: *wajib* (mandatory), *mandub/mustahabb* (recommended), *mubah* (permitted, neutral), *makruh* (disapproved) and *haram* (forbidden).

In the Islamic system of thought, a believer will be rewarded or punished on the basis of his actions on the Day of Judgement. The mandatory acts are incumbent upon every Muslim. Recommended acts are those that are considered virtuous acts. When doing them one will be rewarded, but neglecting them will not be punished. The neutral acts give neither rewards nor punishment. Disapproved acts should be avoided by way of piety, although there is no punishment for doing them (Asad 1993, 212, Gleave 2000, 91, Hallaq 2009, 84-85, Mottahedeh 2003, 1-4, 182, Reinhart 1983, 195).

The legal scholars are the legitimate authorities to decide on the categorisation of human acts. The subjects of Islamic law are classified in two main categories of legal rulings, namely *'ibadat* (acts of worship) and *mu'amalat* (worldly affairs). The rulings regarding the acts of worship are prescriptions on how to correctly perform the ritual practices, which are eight in Shi'i Islam: the testimony of faith (*shahada*), performance of daily prayers (*salat*), payment of alms (*zakat*) and one-fifth tax (*khums*), performance of pilgrimage (*hajj*), fasting (*sawm*) during the month of *Ramadan*, participation in the religious war (*jihad*), and finally enjoining to do good (*amr bi-l-ma'ruf*) and preventing from evil (*nahy 'an al-munkar*). Because these religious rulings belong to the domain of the *'ibadat* the jurists do not have much room for interpretation and change. The regulation of various *mujtahids* in this field shows that their rulings hardly differ.

In legal works, *fiqh* manuals for Muslims living in the West included, *'ibadat* constitute the opening chapters. These are the most comprehensive chapters, because devotional aspects have religious significance and are considered to activate willing submission to Islamic law and contribute to the formation of pious Muslims (Hallaq 2009, 225-226, Tabataba'i 1984, 17). When believers are strict in the performance of the ritual practices, it is believed that they will also strictly follow the rulings regarding social life and other mundane aspects of life, which belong to the *mu'amalat*.⁴³ The rulings regarding *mu'amalat* are constantly subject to new interpretations because of the constant changes in relations among humans due to changing circumstances in both time and place, relating to social, environmental, economic and political matters. Legal opinions regarding family, marriage, inheritance and also the rules concerning everyday relationships with others, Muslim and non-Muslim, belong to the field of the *mu'amalat*. This supports the argument that a *fatwa* is at the same time legal discourse and a social instrument, functioning within a social environment (Hallaq 1994, 31). A *fatwa* should be regarded as an attempt to redefine Islamic rules in accordance with changing conditions (Asad 1993, 210-211).

43 Because of their contribution to shaping pious Muslims and developing virtuous behaviour, Saba Mahmood calls the *fiqh* manuals 'Islamic pedagogical literature' (Mahmood 2005, 79-82).

Ijtihad: same sources, different fatwas

In the Shi'i tradition, the practice of giving *fatwas* is reserved for *mujtahids*. By obtaining the *ijazat al-ijtihad* from their master *mujtahid* at the *hawza*, *mujtahids* are qualified to practise *ijtihad*, the exercise to derive a legal ruling from the textual sources. In order to do so, the *mujtahid* has to follow certain principles and methods, which are elaborated in the discipline of *usul al-fiqh* (principles of jurisprudence). Works on *usul al-fiqh* give descriptions how a jurist might deduce opinions in those areas where the Qur'an and the *hadith* do not provide clear rulings (Gleave 2000, 2-3).

The Qur'an, the *hadith* of the Prophet and the Twelve Imams, *ijma'* (consensus) and '*aql* (reason) form the traditional sources of Shi'i *fiqh* (Tabataba'i 1984, 2-4). The Qur'an is the first and principal source of Islamic thought and law. About five hundred verses of the Qur'an, known as *ayat al-ahkam* (verses regarding law), are considered to have legal content. The *hadith* of the Prophet and the Twelve Imams constitute an important source for Shi'i law because they give details on duties in particular cases whereas the Qur'an usually only gives general rules (Mottahedeh 2003, 1, Tabataba'i 1984, 4).⁴⁴ Among Shi'i jurists the third source of Islamic law, *ijma'* (consensus) is related to the opinion of the Imams. The consensus of the early jurists, although small in number, is the most authoritative in this respect. They were followers of the Imams and their close companions who knew the opinions of the Imams (Tabataba'i 1984, 3, Tabatabaei Lotfi 1999, 89-96). The fourth source in Shi'i jurisprudence is '*aql* (human intellect, reason). '*Aql* is not a clearly defined concept. It can serve to identify the moral and legal properties of

44 Important collections of *hadith* used in Shi'i jurisprudence are the four books, *al-Kutub al-Arba'a*: Number 1 is *Al-Kafi*, written by *shaykh* al-Kulayni (d.941), which contains more than 16,000 *hadith* from the Twelve Imams. This work consists of two parts and is thematically organised; Number 2 is *Man la yahduruhu al-faqih* (For him not in the presence of a jurispudent) by *shaykh* al-Saduq (d. 991-2), with over 9,000 *hadith*. Some *mujtahids* still use it, although it contains only very early religious rules; Number 3 is *Tahdhib al-Ahkam* (The refinement of the laws), by *shaykh* al-Tusi (d. 1067) with 393 chapters comprising 13,950 *hadith*; Number 4 is *al-Istibsar*, also written by *shaykh* al-Tusi, with 5,511 *ahadith* in three parts, two of them regarding '*ibadat* (acts of worship), and the third one covering the other subjects of *fiqh* like human relations and business, the *mu'amalat*. Two other important and commonly used works are *Wasa'il al-Shi'a ila tahsil masa'il al-Shari'a* by *shaykh* al-Hurr al-'Amili (d. 1693) which is the most convenient reference book for jurists, containing only Traditions concerned with legal subjects, and *Bihar al-Anwar* (Oceans of Lights) written by al-Majlisi (d. 1699) for human relations and business, the *mu'amalat*. My sources are Wafa Nasrollah, Professor Qur'an and Hadith at Jameat-e Mustafa, with whom I had an interview in Qum, 23 February 2010, and the PhD-thesis of Tabatabaei Lotfi (1999).

individual human actions, it can prove certain principles, it can also serve to solve linguistic uncertainties from the sources. At times *'aql* can best be translated as 'common sense' as in conjunction with the conduct of reasonable people (Gleave 2000, 87-88, Rahimi 2007, 9, Tabataba'i 1984, 3-4).

66 Although the *mujtahids* in their process of *ijtihad* base themselves on the Qur'an and the *hadith*, and deduce their legal opinions by applying the same rules of jurisprudence (*usul al-fiqh*), they may arrive at different rulings. This may have different reasons. A first reason is the jurist himself, of a certain position and with a certain worldview in the process of *fatwa*-giving (Skovgaard-Petersen 1997, 19-20). In his explanation of the practice of *ijtihad* ayatollah Shabistari states that this practice draws on preliminary assumptions and extra-legal knowledge, influenced by the time and environment in which it takes place.⁴⁵ Shabistari explains his ideas by giving the example of deducing a ruling from the Qur'an and the *hadith* related to freedom and equality. He writes that a jurist who favours freedom and/or equality will be inclined to search for verses and *hadith* in which these values are evident, examine their content, evaluate the reliability of the *hadith* by its chain of transmitters, investigate contradictions, compare the *hadith*, select them, and further compare them with the Qur'an and earlier jurisprudence. Another jurist, with a different worldview, may well choose for different verses from the Qur'an and for other *hadith*. According to Shabistari such differences occur in all stages of the process of *ijtihad*, which leads to differing processes of deduction, and often to different *fatwas*, since not only the jurist's beliefs but also 'his understanding of human nature, truth, justice, politics, economics and even industry and science may play a role in the process of deduction' (Shabistari 2001, 245-246).

Sayyid 'Ali Fadlallah, the son of the late grand ayatollah Fadlallah who was known as a reformer, in this respect took his father as an example,

First of all I would like to say that the texts of the Qur'an are fixed, and on the basis of these fixed texts the rules are deduced. It depends on the mentality

45 Ayatollah Shabistari is an Iranian reformist scholar who led the Imam Ali Mosque in Hamburg, Germany for a number of years, as mentioned earlier in this chapter. He is considered one of the most important religious intellectuals in contemporary Iran. Shabistari is an advocate of flexibility in Islamic law (Clarke 2001a, 203).

of the jurist. If he is open to modern times, then the ruling he makes will be open, but if he lives in a small or isolated world, his rules will not be modern. The advantage of the *sayyid* [grand ayatollah Fadlallah] is that he lived in an open society in Lebanon, and even when he was in Iraq he was open to all other groups. That is the basis of why this *sayyid* is different from others, because the others live in closed places [where jurists] not really care about what is going on in the outside world. [...] Living in such an open society made his mentality broad. Understanding any text depends on the mentality of the *mujtahid* and his understanding. If he lives in a closed circle he will understand it in a narrow way, if he lives in an open society and has knowledge and understanding, he will understand it in a broad way. The *sayyid* understood the text not in a narrow way, he also understood the background, the environment and the context in which the text was revealed. That is why a lot of Muslims in the West found in the *sayyid* the only *mujtahid* they could turn to for their *ijtihad* and for the way they want to live. [...] The *sayyid* not only wanted the Muslims united, he also wanted a dialogue between Muslims and Christians and even with seculars who are unbelievers, but of course the most important thing was the unity of the Muslims. He argued all the time that what brings Muslims together is far more than what divides them. [...] The necessity of diffusing any tension between Sunnis and Shi'is was the *sayyid's* priority.⁴⁶

The *ijtihad* of a *mujtahid* is affected by the mindset of the legal scholar, said 'Ali Fadlallah. He pointed out that the frame of mind of a particular *mujtahid* is formed by the societal context in which he lives.

A second reason for diverging legal prescriptions of the scholars is the methodology of jurisprudence used by the *mujtahids*. For example, Fadlallah's contention that the Islamic sources except for the Qur'an are 'historical products of their time' has also consequences for his methodology of jurisprudence in that he privileges the Qur'an over the *hadith* literature (Rosiny 2001, 209). This approach of the Islamic sources may lead to a different legal opinion than the *fatwa* of another scholar.

⁴⁶ Personal interview with *sayyid* 'Ali Fadlallah, the son of the late ayatollah Fadlallah, al-Dahiyya, Beirut, 13 April 2012.

A third cause of differences in rulings of the *mujtahids* is the extent to which they build on the *fiqh* of predecessors. Some contemporary religious scholars believe that taking into account the consensus of previous jurists hampers new approaches and fresh views in deducing new legal opinions. According to them, the use of *'aql* (reason) is a better method to reveal the meaning of the Qur'an, offering better possibilities to take the context of time (*zaman*) and space (*makan*) into account (Mavani 2009, 340). Again, I quote *sayyid* 'Ali Fadlallah, who said,

Sayyid: He [grand ayatollah Fadlallah] was not an echo of what others said. He was an innovator. He did not have the feeling that the mainstream line of the *'ulama'* backed on him, but that he could still discuss and criticise them. He used to say that there are great scholars, who have their own thought, but we too have our thought and that does not mean that we cannot discuss what they said and have our own ideas. He had a specific way to study the work of others and then made up his mind. He made up his mind based on the evidence and then discussed it his way.

Annemeik: So he did not use the existing corpus of *fiqh*?

Sayyid: Yes, well, it depends his intention was not to be a reformer as such. He [felt] free to do that and [by] that he became a reformer. He was always criticised for not following the line of his predecessors, but this he considered a positive point in his favour. [...] That is why we can say he is a reformer who reformed many of the wrong thoughts in the jurisprudence.⁴⁷

By privileging the Qur'an and foregrounding *'aql* as a legitimate source for *ijtihad*, ayatollah Fadlallah, together with a few peers, among them ayatollah Yusuf Saane'i, engage in fresh research in order to provide relevant and timely religious guidance to their followers in today's changing conditions (Mavani 2009).

⁴⁷ Personal interview with *sayyid* 'Ali Fadlallah, Beirut, 13 April 2012.

Taqlid

The character of the Shi'i *fatwa* can potentially have a great influence on the individual and the community due to the Shi'i rule, introduced in the 19th century, which says that *taqlid* is a necessary condition for being a true Muslim and that the religious practice of a lay Muslim is only valid when observing the rulings of a *mujtahid* (see chapter 1). Studying the way *maraji' al-taqlid* explain the duty of *taqlid* to their followers, we see that Sistani explains the meaning of *taqlid* for lay people as follows,

Taqlid means acting according to the opinion of the jurist (*mujtahid*) who has all the necessary qualification to be emulated. So you do what the *mujtahid*'s expert opinion says you should do, and refrain from what his expert opinion says you should refrain from without any research (in Islamic sources) on your part. It is as though you have placed the responsibility of your deeds squarely on his shoulders.⁴⁸

A person who does not have the ability to extract and derive the religious laws must take up *taqlid* of the most learned *mujtahid*. The deeds of such a person without *taqlid* [...] are null and void.⁴⁹

The above quotes show that by practicing *taqlid* one transfers the responsibility for one's deeds to the *mujtahid*. It is the *mujtahid* who determines the validity of the performance of religious duties and actions of his followers. Another grand ayatollah from the *marja' iyya* in Najaf, grand ayatollah al-Hakim, stated that interpreting God's law is the core responsibility of the *hawza* and that scholars are working 'to be sure that some people are not judged poorly on the Day of Judgement. Like medicine, we are trying to save people.' To this he added that people who act differently will see the consequences on the Day of Judgement (Norton 2011, 140).

Ayatollah Fadlallah emphasises that *taqlid* also involves individual responsibility of the follower. He explains that *taqlid* 'is realised by acting, or

48 See website of grand ayatollah Sistani, <http://www.sistani.org/index.php?p=251364&id=46&pid=2025> (accessed 22 March 2013).

49 See website of grand ayatollah Sistani, <http://www.sistani.org/index.php?p=251364&id=46&pid=2026> (accessed 22 March 2013).

intending to act, as may the circumstances dictate, upon the *fatwa* of a given *mujtahid*.' He positions the *marja' al-taqlid* as an indispensable source of knowledge for a practitioner in making personal decisions about how to act in specific circumstances.⁵⁰

70

Islamic jurisprudence and migration

Jurisprudence for migrants in the Islamic legal traditions

Over the past centuries Muslims have migrated to non-Muslim environments, so religious regulation for Muslim migrants is not a new subject for Islamic scholars. Immigration also existed in history, and *fatwas* related to the status of Muslims living as a minority in non-Muslim contexts can be found in classical texts of Islamic legal scholars, dating back to the eighth century. The theoretical argument has since been that a Muslim can only live a just life under Muslim rule that applies the *shari'a*. In legal history, the settlement of Muslims in non-Muslim territory has always been considered an exception. Early Shi'i scholars, basing themselves on the *hadith*, not only disapproved of Muslims residing among non-Muslims, but even residing among Muslims was not always sufficient. Areas where ignorant Muslims were living under formally Islamic but corrupt and unjust rule were considered not appropriate to live in. Living in such circumstances was supposed to endanger one's religious practice and knowledge (Abou el Fadl 1994b, 148).

From the ninth century Muslim jurists, among them Shi'i jurists, distinguished between the abode of true faith (*dar al-iman*) and the abode of Islam (*dar al-islam*). For Shi'i scholars, the latter could also be Muslim territories of corrupt beliefs and practices. Such areas were considered equivalent to the territory of unbelievers. At a later stage, in the 12th century, the Shi'i legal scholars argued that it was permissible for a Muslim to reside in non-Muslim area, but only if one was able to manifest one's religion. Fear for loss of religion made it obligatory to return to Muslim territory. What 'manifesting one's religion' or 'loss of religion' exactly meant was not clearly defined (Abou el Fadl 1994b, 152, Abou el Fadl 1998, 50-52).

⁵⁰ See website of grand ayatollah Fadlallah, <http://english.bayyinat.org.lb/Fatawa/ijtihad.htm#taq> (accessed 22 March 2013).

Legal discourse regarding the position of minorities focused on two questions: What are the obligations of Muslims toward their place of residence? What should a Muslim do if a good Islamic life turns out to be impossible because of widespread corruption? The answers to these questions were that a Muslim can reside in a non-Muslim state as long as his safety is protected, and on the condition that a Muslim fulfils his contractual obligations, pays his debts and does not commit fraud or deceives a party in case of a financial transaction. Explanations about the consequences in case of not following these rules were lacking. Scholars in *usul al-fiqh* (principles used for arriving at a legal judgement) developed principles to facilitate compromises, such as necessity (*darura*) and public welfare (*maslaha*) (Abou el Fadl 1994b, 178-181).

71

Abou el Fadl notices a tension between Islamic law and reality, since 'people may try to live in accordance with a religious dogma, [but] they always will interpret it in ways that are socially and culturally specific.' He also points out that most of the sources available are written from the perspective of *dar al-islam* (abode of Islam) for those living in *dar al-kufr* (abode of unbelievers). According to Abou el Fadl the surviving sources indicate that minority *fiqh* for legal scholars was a casuistic affair and that, hence, a universal character in terms of used methodology and proposed solutions was lacking (Abou el Fadl 1994a, 181-183).

In the 19th century a new type of migration commenced with Muslims migrating to non-Muslim countries for reasons of education, training or employment, for a longer period or even in order to settle, which was a new reality that instigated Muslim jurists to renegotiate and reformulate the idea of *dar al-islam*. Such deliberate and permanent migration with other motives and objectives than in the previous periods posed legal scholars for new questions. During that period pacts and treaties between western countries and Muslim countries existed. Therefore there was no longer reason to regard Europe and the United States *dar al-kufr*. An example of adaptation of religious rulings to new circumstances is a *fatwa* which rules that residence in Europe or America for reason of education and training is not only permitted but even obliged since modern science and technology are considered indispensable for Muslim societies to regain independence (Masud 1990, 42). Furthermore, Shi'i jurists - as well as part of the Sunni legal scholars - in the 19th and 20th century tended to regard Islam as a religion that was not strictly bound to the territory

of *dar al-islam* because Islamic law, according to their view, has universal jurisdiction (Abou el Fadl 1998, 57).

72

In Muslim majority countries, Islam defines the social, legal, and political structure of society. The whole societal framework is supportive to leading a Muslim life. Islamic law is recognised as a source in state law, state authorities are Muslims, and people dress and behave according to local Islamic standards. In other words, Islam is intertwined with the local culture. Today, more than one third of the world's Muslims are living as minorities in non-Muslim countries (Masud 2002). Muslims living in non-Muslim societies do not have the legal and social framework of the Muslim majority society. Hence, living a Muslim life in a western context becomes much more an individual matter. Only one's family, Muslim peers, or the Islamic community may exert a certain degree of influence. Besides that, Muslims in a western society are facing situations that simply do not occur in Muslim majority contexts.

Most Muslims find it virtuous and necessary to live their lives according to Islamic law and regulation (Berger 2013, 9). In order to assist Muslims in the West practising their faith, Islamic scholars, both Sunni and Shi'i, started issuing *fatwas* that deal with the problems Muslims are facing in non-Muslim countries where they are living as minorities. Unlike debates in earlier centuries regarding minority jurisprudence, the questions in these new works range beyond the topic on whether or not it is authorised to reside in non-Muslim territory. The central focus shifted to how one could perform religious practices in the correct way and how one could be a faithful Muslim in a non-Muslim context. By providing guidelines about proper Islamic conduct, the Islamic scholars hoped to create and sustain a Muslim identity in diaspora.

Fatwas for Shi'i migrants

During the last decades of the 20th century, *maraji' al-taqlid* saw Shi'i Muslims leave for the West in unprecedented large numbers. The *maraji' al-taqlid* realised that they had to foster ties with their adherents abroad. They also felt the need to prevent migrants, especially Shi'i youth, from giving up their religion. Furthermore, they saw a chance to get Europeans and Americans acquainted with Shi'i Islam (Sindawi 2007, 846). Despite the distance, *maraji' al-taqlid* could retain their influence thanks to the stipulation of *taqlid*, which

makes that Shi'is living in the West can relate to their *marja' al-taqlid*. As a result, a Shi'i Muslim's life is to a significant extent defined by the *fatwas* and worldview of his or her *marja' al-taqlid*, whose understanding of the world is formed by the societal circumstances in the Shi'i heartlands and the debates within the scholarly circles of the *hawza* (Takim 2009, 146-147).

The wave of migration to the West asked for legal discourse from new perspectives. Shi'is living under non-Muslim government were in need of a new attitude and a revision of *fiqh* in two respects: from a Muslim majority to a Muslim minority situation, and, as a consequence, from a *fiqh* of friction to a *fiqh* of co-existence with non-Muslims (Takim 2009, 154-155). The legal tradition says that a *mujtahid* can reformulate his *fatwa* on a certain topic in case of different circumstances, on the condition that he has knowledge of the local situation.⁵¹ The existing framework of Shi'i legal theory has a number of principles that help jurists to resolve new questions. Terms such as *darura* (necessity), *haraj* (unbearable hardship) and *maslaha* (serving the interest of the community) are invoked as legal principles that under certain conditions render permissible what is usually impermissible. Minority jurisprudence of earlier centuries provided a basis in exercising *ijtihad* for migrants to the West in the 20th century. Therefore, the new genre of *fatwas* for Muslims living in western societies that Shi'i scholars with followers in the West started to issue in the early 1990s can be seen as a continuation of the legal tradition (Mavani 2013, 222, Tabatabaei Lotfi 1999, 185-190, Takim 2009, 155).⁵²

Fiqh manuals for Muslims living in the West started being published from 1996. *Fiqh*, which is the term for Islamic jurisprudence and for the science of religious law, in such manuals refers to *fatwas* and relevant prescriptions about the performance of religious rituals and duties and about religious conduct in daily life. The arrangement of topics relating to the *'ibadat* is more or less fixed: *taqlid*, ritual purity, prayer, fast, *hajj*, and issues related to death. The *mu'amalat*

51 Interviews with Professor Hashemi, specialist in *fiqh* at al-Mustafa University, in Qum, 21 February 2010, and with Raady, a former student of the *hawza* in Najaf who is now living in the Netherlands, 25 May 2011.

52 After achieving a PhD degree in Leeds, United Kingdom, Mrs. Lotfi Tabatabaei returned to Qum, where she became a professor specialised in *ijtihad* at Bint al-Hoda Seminary for women. During my visit to Qum I had an interview with Mrs. Tabatabaei on 24 February 2010 in which she explained the jurisprudential principles. See also (Tabatabaei Lotfi 1999). Dr Fazadollah Hedayatniya of the Islamic Research Institute for Culture and Thought in Qum, with whom I had conversations on 21 February 2010 and 1 March 2010, explained the importance and application of these principles in today's Shi'i jurisprudence, both concerning *fatwas* related to Islamic and non-Islamic countries.

sections contain *fatwas* regarding eating and drinking, marriage, divorce and inheritance, financial affairs and contracts, women, clothing, youth, medical issues, music and entertainment.

74

Within Shi'i circles this new genre of *fatwas* is not referred to by one specific name, I noticed during my visits to Qum and Beirut. The term for Sunni jurisprudence for Muslims living as minorities in non-Muslim societies, *fiqh al-aqalliyat*, is not a common term within the Shi'i world. Shi'is rather call the new genre of regulations for Muslim in the West *mustahdathat* (novel matters) or *fiqh li-l-mughtaribin* (rulings for those living in the West).

Sistani's *fatwas* for Muslims in the West were published in three *fiqh* manuals. The first, *Jurisprudence made Easy (al-fatawa al-muyassara)*, was compiled by Abdul Hadi al-Hakim and licensed by Sistani with a scan of his handwritten text written in Arabic and translated in English, provided with a print of the ayatollah's stamp, dated 25th *Dhu al-Hijja* 1416 H (13 May 1996) (1998). The version in English was published by the Imam Ali Foundation in London, which is part of grand ayatollah Sistani's network. The preface states that *Jurisprudence made Easy* aims to display the technical subject of jurisprudence in a 'form of language that is down to earth' and to spread 'religious knowledge among vast sections of the society, especially the up-and-coming generation, who has been starved of gaining any meaningful precepts of religion' (al-Hakim 1998, 9-10). This work consists of easy to understand dialogues between a father and a son about the performance of religious duties and rituals.

A second book of this kind, *al-mustahdathat min al-masa'il al-shar'iyya*, titled in English *Current Legal Issues*, dated *Rajab* 1417 (December 1996), was written by Murtada al-Kashmiri (1996). The content of this publication consists of Sistani's *fatwas* on a broad range of issues relating to ritual performances and Islamic conduct.

The third and last book in this series is *al-fiqh li-l-mughtaribin*, titled in English translation *A Code of Practice for Muslims in the West*, also compiled by Abdul Hadi al-Hakim and provided with a seal of ayatollah Sistani dated 5 *Ramadan* 1418 (3 January 1998) (al-Hakim 1999). The compilation was done in London, in close cooperation with the offices of grand ayatollah Sistani in Najaf and Qum. This *fiqh* manual was also translated and published by Sistani's Imam Ali Foundation in London. The manual contains six chapters on '*ibadat*

and eleven chapters on *mu'amalat*, each with a brief introduction to the topic, a series of general rules on the subject of the chapter, and a series of related *fatwas*. The preface says that the manual includes new questions on new issues and problems that are not discussed in most manuals of Islamic Laws and other commonly used books of Islamic jurisprudence. The author furthermore writes that the production of *fiqh* manuals is 'an evolutionary process reflecting the change in lifestyles and the relevance (or lack of it) of certain problems and issues that vary from time to time and place to place. The spirit and the purpose remain constant but the style and the format change.' The manual is introduced as a guide for Muslims residing in the West in upholding moral and ethical codes by practising religious duties, by preserving their religious identity without isolating from society, and by promoting a positive image of Muslims and Islam (al-Hakim 1999, 3-8).

The *fiqh* manual *Replies to Inquiries about the Practical Laws of Islam (ajwibat al-istifta'at)* of the world's Supreme Religious Authority *ayatullah al-'uzma* imam *sayyid* 'Ali Husayni Khamene'i was published in 1997 (Khamenei 1997). In the preface, signed by the office of Khamene'i, is written that the manual contains religious rulings covering all topics of Islamic jurisprudence as well as modern problems arising from contemporary needs and realities, based on the opinion of grand *ayatollah sayyid* 'Ali Husayni Khamene'i or, in some cases, according to the opinion of the founder of the Islamic Republic of Iran, imam Ruhullah Musavi Khomeini. It is also mentioned that the collection of *fatwas* is published on the insistence of many believers all over the world. The manual mostly addresses questions relating to *'ibadat*, arranged by subject, without any further explanation or introduction. Although the book does not specifically address questions of Muslims living in a non-Muslim country, it certainly has the aim to underline the position of Khamene'i as a *marja' al-taqlid* for Shi'is living outside Iran.

Grand *ayatollah* Fadlallah has published a number of books, among them two *fiqh* manuals. His *fiqh* manual on *'ibadat, al-fatawa al-wadiha*, published in 1998, was translated in English and published in 2005 as *The Manifest Edicts, A Manual of Islamic Practice* (2005). For followers living in the West, specifically youngsters, Fadlallah wrote *dunya al-shabab*, which was published as *World of Our Youth* in 1998 in Montreal. This work addresses the problems and needs of young Muslims living in a non-Muslim environment. Questions are

answered with detailed argumentation and in many cases provided with examples, a style that is specific for Fadlallah (Fadlullah 1998).

Shi'i fiqh li-l-mughtaribin and Sunni fiqh al-aqalliyyat

76

Within the Sunni community the emergence of minority jurisprudence as a genre caused debate and controversy, whereas critical discourse in Shi'i circles seemed absent. Though it is not my purpose to compare Sunni and Shi'i rulings, nor to go into detail about legal-theological implications, it is important to know the position of this new genre regulations within both Islamic legal traditions in order to understand the attitude at the scholarly as well as the grass root level regarding the new Islamic jurisprudence.

Sunni regulations for Muslims in the West are known by the term *fiqh al-aqalliyyat* (jurisprudence of Muslim minorities). The concept was introduced under this term in the 1990s by Taha Jabir al-Alwani and Yusuf al-Qaradawi, both Sunni scholars with a doctorate from al-Azhar University in Cairo in 1973.⁵³ The first writings on *fiqh al-aqalliyyat* were published in 2001.⁵⁴

Fiqh al-aqalliyyat implies the introduction of *ijtihad* as a new legal methodology – about which I will not go into detail - specifically for issuing rulings for Muslims living as a minority in non-Muslim countries (al-Alwani 2003, Caeiro 2003, Fishman 2006). The critics within the Sunni community rejected the entire concept of a special system of *fiqh* for Muslims in the West, arguing that it would bring division in the Muslim community because rulings may concern exclusively the West. The discussion also regarded the confusion that might arise by giving new answers to old queries, which would undermine the authority of *muftis* (religious scholars) in Muslim majority countries. Others condemned the leniency in rulings of the *European Council for Fatwa and Research*, the institution that adopted *fiqh al-aqalliyyat* and in which both Alwani and Qaradawi participate. The most serious criticism of the Sunni 'ulama' is that *fiqh al-aqalliyyat*, being a new legal methodology, is an innovation

53 Al-Azhar University is the most leading institute in the Sunni world for the study of Islam.

54 English translations of their first books on minority *fiqh* are al-Alwani (2003) and al-Qaradawi (2001).

that manipulates the religion (Caeiro 2003, Fishman 2006, Masud 2002, Parray 2012).⁵⁵

From the perspective of the Shi'i legal methodology, *ijtihad*, Shi'i jurisprudence for Muslims in the West is not an innovation. Shi'i legal methodology has a number of principles, such as *darura* (necessity), *haraj* (unbearable hardship) and *maslaha* (common good), providing the flexibility to revise and adjust legal opinions to different times and places. Moreover, because in Shi'ism people practice *taqlid* there is no question of undermining of religious authority. *Fiqh li-l-mughtaribin* is the result of questions of followers living in western societies that caused Shi'i *mujtahids* to reconsider their rulings from a position of being in conflict with non-Muslims to a position of coexisting with non-Muslims. This required revision of part of the existing *fiqh* and adaptation to the conditions of living as a minority under non-Muslim rule and in a western society. *Fiqh li-l-mughtaribin* must be regarded as complementary to existing regulations.

77

Attitude towards non-Muslim environment and non-Muslim state law

We have seen that jurisprudence on migration in history focused on the question whether a Muslim was permitted to live in non-Muslim territory. The central concern was to prevent Muslims from 'loss of religion'. Legal discourse was limited to the fulfilling of religious obligations and conditions that guarantee freedom of religious practice.

Contemporary *maraji' al-taqlid* with an active interest in the subject of migration, Sistani and Fadlallah, are still concerned with safeguarding their followers against loss of faith. The two grand ayatollahs think of migration to non-Islamic areas in light of the concept of *al-ta'arrub ba'd al-hijra*. *Hijra* stands for the migration of the Prophet from Mecca, with its pagan customs, to Medina, whereas *ta'arrub* refers to falling back to pagan customs. Sistani and

55 The emergence of religious regulation for Muslims in the West has encouraged academic research into the application of *shari'a* rules in Europe (Berger 2013, Rohe 2004), about minority *fiqh* in relation to citizenship (March 2005, March 2009, Taha 2015), and about the effect of *fiqh al-aqalliyat* on Muslim identity and integration (Caeiro 2006, Caeiro 2009, Caeiro 2010, Caeiro 2011, Malik 2009). Furthermore, research has been conducted on Yusuf al-Qaradawi, one of the founders of minority legislation and the most prominent Sunni legal scholar on *fatwas* for minorities in Europe (Caeiro 2011, Gräf 2005, Gräf 2007, Gräf, Skovgaard-Petersen 2009, Gräf 2010, Skovgaard-Petersen 2004, Shavit 2012).

Fadlallah consider migration to the West as an act of leaving an environment that encourages the practice of the rules and teachings of Islam to a place where living an Islamic life risks to be negatively affected (Bosworth 1989, 355-356). Migration to western countries, then, is primarily seen as a potential threat to the religious commitment of youth, as illustrate Sistani's words,

A Muslim who is born and raised in a Muslim country where he consciously and subconsciously absorbs the laws, values and teachings of Islam, grows up into a young person who is aware of the customs of his religion, following its path and is led by its guidance. On the other hand, a Muslim who is born and brought up in a non-Muslim country demonstrates the influence of that environment very clearly in his thoughts, ideas, behaviour, values, and etiquette unless his Lord helps him. This un-Islamic influence is seen more in the second generation of those who have migrated to non-Muslim countries.⁵⁶

Fadlallah addresses young Shi'is in his book *World of Youth*, and Sistani's *A Code of Practice for Muslims in the West* has a special chapter on youths' issues.⁵⁷

Both Sistani and Fadlallah advise Muslim migrants to protect themselves from exposure to western immorality by 'spiritual immunisation.' They on the one hand urge correct individual religious practice. On the other hand the two grand ayatollahs encourage their followers to create an Islamic environment to protect themselves from the erosive effects of western culture on their religious identity and to defend their religious community from the non-Islamic society. This involves building organisations and visiting centres that observe the religious occasions and commemorations during the year, especially during *Ramadan* and *Muharram*.⁵⁸

Although both grand ayatollahs consider migration primarily as a potential threat to an individual's religious performance and lifestyle, they nevertheless emphasise the importance of positive interaction of Muslims with non-Muslims

56 See website of grand ayatollah Sistani, <http://www.sistani.org/english/book/46/2022/> (accessed 13 February 2013).

57 See websites of grand ayatollahs Fadlallah, <http://english.bayynat.org.lb/WorldofYouth/> and Sistani, <http://www.sistani.org/english/book/46/2067/> (accessed 13 February 2013).

58 See websites of grand ayatollahs Sistani, <http://www.sistani.org/english/book/46/2018/> and Fadlallah, <http://english.bayynat.org.lb/WorldofYouth/imigration.htm> (accessed 15 September 2015).

and positive representation of Islam as a religion of high morality. Sistani writes in this regard, 'The people of the non-Muslim country [...] will judge Islam through [your] behaviour.'⁵⁹ Fadlallah puts it slightly stronger with the words,

Muslims must keep their traditions, values, and legal, binding dispositions everywhere if this does not put them in critical and dangerous situations. In addition, Muslims must make sure to promote the reputation of Islam and its adherents in the eyes of others.⁶⁰

79

An important element in the discussion of migration to the West and promoting Islam is the concept of citizenship. In their manuals for Muslims in the West the Shi'i authorities Sistani, Khamene'i and Fadlallah urge their followers to behave according to the laws of the country they live in. Ayatollah Sistani approaches state law as an instrument to maintain public order. He regards following state law as a contribution to a positive image of Islam.⁶¹ Fadlallah insists that Muslims respect their contracts with others. Moving to a non-Muslim country, according to him, means entering into a contract with that country, implicitly or explicitly by visa, asylum law or the kind. He advises Muslims not to betray the trust of a non-Muslim person or state and not to violate any form of contract with official institutions or companies. Fadlallah states,

The Muslim must abide by the rules of public order in any society that he dwells in, first from the contract aspect, and second [...] to give Islam the civilised image that would encourage people to embrace it.⁶²

Where Sistani maintains a traditional and apolitical view, Fadlallah, known as a reformer and a political figure, holds the approach of reaching out to the

59 See website of grand ayatollah Sistani, <http://www.sistani.org/english/book/46/2018/> (accessed 15 September 2015).

60 See website of grand aytollah Fadlallah, <http://english.bayynat.org.lb/jurisprudence/lmigration.htm> (accessed 13 February 2013).

61 See websites of grand ayatollah Sistani, <http://www.sistani.org/english/book/46/2049/> and grand ayatollah Fadlallah, <http://english.bayynat.org.lb/jurisprudence/minorities.htm> (accessed 13 February 2013).

62 See website of grand ayatollah Fadlallah, <http://english.bayynat.org.lb/jurisprudence/lmigration.htm> (accessed 13 February 2013).

non-Muslim world as if it were a new community for Islam, comparable to the way he built up his position as a religious leader outside the context of the traditional *hawza*, in Beirut, expanding his community of followers worldwide from there.

80

The Internet fatwa

Building a community of followers

During the past centuries the religious establishment, financially dependent on the lay people for their *khums* contributions, seized opportunities to hold on to Shi'i practitioners. Communication has always been the key. Once a communication practice proved fruitful it was continued by next generations within the religious establishment.

In earlier times, a *fatwa* was written on a piece of paper or a local '*alim* (scholar) gave an oral *fatwa* to a person belonging to his own community (Skovgaard-Petersen 1997, 22). The first step to build a network of followers beyond the jurist's city of residence was introduced by Muhammad Hasan al-Najafi (d. 1851/-52), who was at his time of life one of the most highly respected *mujtahids*. *Shaykh* Najafi started to delegate his students to other cities with the task and authority to spread the thought of their master, to give legal rulings according to their master's thought and methodology, and to collect religious taxes on his behalf. With his approach, *shaykh* Najafi actually laid the foundation for a centralised organisation of religious authority according to a pattern that is still recognisable today (Litvak 1998, 64-67). Ever since, religious leaders have authorised representatives, called *wukala'* (sg. *wakil*), to perform these tasks because it proved to be a good way to reach a large audience of followers and potential followers.

During my stay in Qum in 2010 I saw the consulting of a *wakil* in practice. One day I visited the office of ayatollah Khamene'i in Safayi street, located in the quarter where most of the *maraji'* have their offices. Waiting for my appointment, I saw laypeople consulting Mr Fallahzadeh, one of the three *wukala'* of ayatollah Khamene'i in the city of Qum. This *wakil* was sitting in the corner of a huge space that is also used for communal prayers, surrounded by a group of clergymen seated on couches around a table. Individuals and

couples were coming and going all the time and waited for their turn on a few metres distance from the *wakil* and his clergy company. Questions of the visitors were debated and discussed by Mr Fallahzadeh and the clergymen before the questioners, at that moment seated among the clergy, got an answer to their question. The consultations lasted no more than about five minutes. All those present could hear and listen to the conversation. I was told that questions of a personal nature were discussed in a separate room. In between but also during the consultations, Mr Fallahzadeh was holding his cell phone in hand and answered phone calls.⁶³

Printing facilities became available in the Muslim world relatively late, in the 19th century. The *mujtahids* embraced this new way of communication as an attractive manner to spread religious thought and to publish their *fatwas*. A new genre of mass produced Shi'i *fiqh* manuals was introduced, called *risalat al-'amaliyya*, the meaning of which was discussed earlier in this chapter.

From the beginning of the 20th century the *risalat al-'amaliyya* got a new style and a new arrangement in content. *Shaykh* Muhammad Kazim al-Tabataba'i al-Yazdi (d. 1919) from Najaf, the *marja' al-taqlid* at that time, started to give brief explanations of *fiqh* in comprehensible language that was understandable for a layman. Furthermore, he re-arranged the traditional organisation of *fiqh* manuals by dedicating the opening chapter to the topics of *ijtihad* and *taqlid*, emphasising the necessity of following the legal opinions of a living *mujtahid*. The content of the new genre *risalat al-'amaliyya* ideologically did not differ from traditional Shi'i thought. Yet, its presentation and style, addressing the layman, were new. Apparently they were also influential, because Yazdi's *risalat al-'amaliyya* became an example for the work of later *maraji' al-taqlid* (Moussavi 1996, 35-39, Stewart 2001, 154-157, Takim 2009, 146).

The above developments show that with the emergence of a clerical hierarchy the *mujtahids* started to find ways to gain the loyalty of as many practitioners as possible, in order to contribute to both their prestige and their financial resources. The transmission of a *mujtahid's* thought by printed matter in the form of the *risalat al-'amaliyya* and by personal representatives, *wukala'*, who were also the collectors of *khums* contributions, meant a huge increase in the

63 Visit to the office of ayatollah Khamene'i in Qum, 2 March 2010.

mujtahid's reach of and influence on followers and potential followers. Until late in the 20th century the area of influence of the religious elite remained limited to Muslim territory.

82

The emergence of the laws for novel situations encountered by Muslims living in non-Muslim countries coincided with major developments in the field of communications. The religious establishment of the *hawzas* in the Middle East in no time embraced the virtual world of the Internet, recognising its possibilities. Ayatollah Fadlallah, together with Sistani by far the most active scholars in the field of Shi'i *fiqh* for followers living in the West, from its start considered the Internet the most ideal space of communication with the community of followers living abroad. Ayatollah Fadlallah uses the Internet as the main communication tool with his audience abroad.

The Internet marja'

The emergence of the Internet enlarged the public space of Islamic discourse and widened the public arena of the Shi'i authorities to a global level. The *maraji' al-taqlid* soon adopted the Internet. They quickly recognised it as an instrument to build and intensify bonds with their followers, especially the youth generation, and as a tool in their struggle to gain status and authority on long distance. By using the Internet as a space of instruction regarding religious duties and behaviour, Shi'i authorities became able to directly enter into the private and public space of followers living across the globe. Traditional knowledge became easily available for believers and the *fatwa* has become a global phenomenon influencing the practices and behaviour of Shi'i Muslims worldwide. The Internet also became a tool for spreading the Islamic faith (*da'wa*) among western publics that were out of reach beforehand (Anderson 2003, 48, 57, Masud, Messick & Powers 1996, 27-29) .

The Shi'i authorities started to make use of the Internet in an early stage as an instrument for building a global community of followers and as an attempt to sustain the traditional structure of religious authority and instruction worldwide.⁶⁴ The websites of Sistani, Khamene'i and Fadlallah differ in one important aspect from those of other *mujtahids*: whereas most scholars have a

64 The first time I heard the term *Internet marja'* was during my interview with Mustafa, who stated 'I belong to the first generation having an *Internet marja'*', 19 October 2011.

website in Arabic or Persian or both of these languages, the grand ayatollahs with a global following offer their guidance in a variety of languages to reach the widest possible audience.

Web presence of grand ayatollah Sistani

83

Grand ayatollah Sistani's presence on the Internet dates from 1997. In order to manage his web presence Sistani's office in Qum in 1998 established the Aalulbayt Global Information Center. This web centre, initiated by Sistani's son-in-law and representative in Qum, *sayyid* Jawad Shahrastani, runs the websites of Sistani and manages a large part of the telephone traffic between the grand ayatollah and the outside world. It is this office that decides which *fatwas* and statements of ayatollah Sistani are published on the websites (Visser 2006, 25).⁶⁵ Aalulbayt Global Information Center in Qum facilitates two main portals of ayatollah Sistani: *al-shia.org* and *sistani.org*.⁶⁶ According to Mr Hassanzadeh, the manager responsible for the translation of the texts published on these portals, which is done by MA- and PhD-students living in Qum, the content of the portals increases with two to three million words every month.⁶⁷

The main website of ayatollah Sistani, *sistani.org*, has been online since 2002 and is available in Arabic, Farsi, Urdu, English, Azerbaijani, Turkish and French.⁶⁸ It shows a picture of grand ayatollah Sistani reading one of the holy textbooks. On the homepage the old tradition of making *fatwas* and other publications recognisable by the seal of the author is maintained by showing a handwritten text accompanied by a scanned signature, date and seal of the ayatollah.⁶⁹ At a glance, the visitor of *sistani.org* can see that *fatwas* are the core of the site, accessible through the header 'books' or 'question & answer'. The

65 For example, the *fatwa* issued by grand ayatollah Sistani in 2003 regarding the democratic elections in Iraq never appeared on Sistani's website. See Visser (2006, 6).

66 *Al-shia.org* is a portal that gives access to Shi'i knowledge, from *ahl al-bayt* to history to ethics, in 30 languages, from Arabic, Farsi, Urdu, Azeri, and Turkish to a great number of European languages, a number of Asian languages such as Indonesian, Thai, Hindi, Birmese and Chinese, and some African languages such as Swahili and Hausa. I will not pay further attention to this portal because it does not publish *fatwas*. See <http://www.al-shia.org/> (accessed 18 October 2013).

67 Interview with Mr Hassanzadeh at Aalulbayt World Federation office in Qum, 24 February 2010.

68 Information obtained from www.alex.com (accessed 20 October 2012).

69 See website of grand ayatollah Sistani, <http://www.sistani.org/> (accessed 20 October 2012).

section 'books' contains complete texts of Sistani's *fiqh* manuals that were also published in print: *Islamic laws, Jurisprudence made easy, Current Legal Issues* and *A Code of Practice for Muslims in the West*. The section 'Question & Answer' leads to a search page where the *fatwas* about specific topics are arranged in alphabetical order.

84

Apart from the extensive *fatwa* sections, ayatollah Sistani's office uses this main website to provide information about his office, institutes and charitable foundations. The site mentions a range of services offered by Sistani's office. First, there is a *Board of Istifta'* that is presented as the link between grand ayatollah Sistani and his followers. The *Board of Istifta'* provides laypeople with answers to questions pertaining to religious, ideological, social and educational matters according to the verdicts of the ayatollah. There is a brief explanation about the procedures in the Qum office of the grand ayatollah: respected scholars, former students of ayatollah Sistani, try to retrieve answers to questions in Sistani's books or to derive *fatwas* from Sistani's previous *fatwas*. In case of any doubt a question is forwarded to the office of ayatollah Sistani in Najaf.

Second, the website provides an overview of all projects, communities and individuals that are supported by Sistani in financial terms. This ranges from helping the poor and needy, supporting *hawza* students financially, providing assistance to Shi'i theological, cultural and religious centres in Europe, Africa, America and Asia, to disseminating knowledge by sending preachers to centres all over the world during the months of *Muharram* and *Ramadan* and by distributing Shi'i knowledge in print and on audio. The office thus gives a global accountability for the use of the *khums* contributions.

Finally, the site mentions what it calls 'the *hajj* delegation', meant to assist laypeople to perform the *hajj* rituals correctly and to maintain good relationships with the ayatollah's representatives, who always accompany the *hajj* pilgrims of their communities from all over the world to Mecca.⁷⁰ One function of the *hajj* delegation not mentioned on the website but certainly important, probably even the most important, is the collection of religious taxes, as mentioned earlier in this chapter.

One of the links listed on Sistani's website is connecting to the website of

⁷⁰ See website of grand ayatollah Sistani, <http://www.sistani.org/index.php?p=361968> (accessed 6 January 2013).

the Imam Ali Foundation in London, a website that is consulted by many Shi'i Muslims living in Europe. This website shows pictures of Sistani and the Imam 'Ali shrine, representing the main symbol of Shi'ism on the holiest place of Shi'ism, Najaf in Iraq. As regards content, the website of the foundation, najaf.org, is largely the same as sistani.org, with a few notable differences: it contains a prayer timetable for cities in the United Kingdom, some basic instructions how to do ablution and perform prayers, an online Qur'an, a section on moon sighting and a date converter. Furthermore, this site gives account details to transfer religious dues by bank.

Web presence of grand ayatollah Khamene'i

Grand ayatollah 'Ali Khamene'i is present on the Internet with two websites, both accessible in 13 languages covering all continents.⁷¹ The first site, titled *The Office of the Supreme Leader Sayyid 'Ali Khamene'i* (leader.ir), shows on its home page a picture of Khamene'i with the Iranian flag. The *fatwa* collections of Khamene'i are to be found on this website.⁷²

The most eye catching part of the website are the current news items about Khamene'i's political meetings with national and international officials and with Iranian civil society groups, provided with headlines and photographs. The site provides links to three types of information. First, there are links to political issues, such as imam Khomeini, the Islamic Revolution, Palestine, Democracy and Women. Second, with a click one arrives at the websites of the President, the Parliament, and the Judiciary. Third, there are links to three *fatwa* collections: the 'practical laws of Islam', 'frequently asked questions' and 'newly asked questions'. The latter collections have a similar ordering, which corresponds to the traditional *fiqh* manuals. Content wise they are different from each other, especially in the field of the *mu'amalat*.

A remarkable *fatwa* collection of very limited size is found under the header 'comparative *fatwas*'. It is a compilation of the differences between the *fatwas* of the late imam Khomeini and those of ayatollah Khamene'i. One of them with

71 The websites of Supreme Leader Khamene'i are accessible in Farsi, Arabic, Urdu, Turkish, English, Bahasa Indonesia, Swahili, Spanish, German, Russian, French, Hausa, and Chinese. See <http://www.khamenei.ir/> and <http://www.leader.ir/> (accessed 18 October 2013).

72 Remarkably, the *fatwa* collections are only published on website versions in Arabic, Persian, Urdu, Turkish and English.

regard to purity of non-Muslims in particular is relevant to Muslims that are surrounded by non-Muslims in daily life. The ruling of Khomeini says that ‘non-Muslims, whatever their religion or creed is, are ruled *najis* [impure]’ whereas Khamene’i rules that ‘it is not known that the People of the Book are inherently *najis*. In our view, they are ruled inherently *tahir* [ritually pure]. Ahlul kitab [People of the Book] are as follows: Jews, Christians, Zoroastrians and Sabaeans’.⁷³ The style of the *fatwas* of the office of ayatollah Khamene’i is clear and concise, as will be demonstrated in later chapters.

The second website, titled *The Center for Preserving and Publishing the Works of Grand Ayatollah Sayyid ‘Ali Khamene’i* (khamenei.ir), has a joint picture of Khamene’i, his predecessor Khomeini, and the Iranian flag on its home page. This site gives an insight in the political-religious discourse used by the Supreme Leader. One finds a list with meeting reports, speeches and messages of the Supreme Leader. A section called ‘viewpoints’ gives links to three subjects: Islamic Republic, Religion and History, and World. The first, Islamic Republic, gives the Supreme Leader’s views on religious-political events in Iran. It is noteworthy that after the last three views, published during the election protests in 2009 and discussing the Judiciary, the Parliament, and the Guardian Council, no new views were published in this section until September 2012, when a comment on anti-Islam events was publicised, probably in response to the film ‘Innocence of Muslims’ that caused a lot of protests in the Islamic world.⁷⁴

The second section, Religion and History, gives the views of the Supreme Leader on religious subjects, ranging from Christianity, monotheism, and Islamic *umma* (community) to *hajj* (pilgrimage), *Ramadan* (month of fasting) and *hijab* (Islamic covering and conduct). The third section, World, relates to political issues like the Islamic Awakening, nuclear energy, Palestine, women’s role and rights in society and human rights.⁷⁵ The documents published on this website generally emphasise the moral decline of the western world and the justice and morality of Islam, Islamic thought and the Islamic Republic. The link to *fatwas* on this website is empty.

73 The subject of ritual purity will be further discussed in chapter 4.

74 The Guardian Council is one of the most influential bodies in Iranian politics, consisting of six clerics appointed by the Supreme Leader, and six jurists selected by the parliament and charged with legislation and elections (Keddie 2003, 248).

75 The Islamic Awakening refers to what is usually called Arab spring.

In the biography published on this site, the Supreme Leader addresses his religious education in detail and he presents his relationship with imam Khomeini as being ‘one of the students of imam Khomeini in the areas of jurisprudence, the principles of jurisprudence, and in revolutionary and political ideas’. He thus emphasises his adherence to the concept of *wilayat al-faqih*. On his website Khamene’i explains his positioning as *marja’ al-taqlid* as follows,

The weight of being the Leader of the Islamic Republic system along with the great world responsibilities is as heavy as the weighty loads of several *marji’s*. You should know that if the loads of several *marji’s* are put together, possibly, it will become as heavy as that. [...] Thanks to Allah, there exist so many *mujtahids*. [...] This is why I refuse to accept the responsibility of being a *marji’*. Thanks to Allah, there are others. Then, it is not needed. Of course, outside Iran, it is different. I accept its burden. What is the reason? It is because, if I do not burden myself with it, it will be lost. [...] Today, I accept the request of Shi’is outside Iran, as there is no alternative. [...] The collection of the Supreme Leader’s verdicts, consisting of acts of worship and transactions, has been published in Arabic and in some other languages. It is intended for the people living abroad. A very large number of faithful Muslims all over the world have received the collection of verdicts warmly [italics mine].⁷⁶

As we already saw earlier in this chapter, Khamene’i positions himself as the *marja’ al-taqlid* for Muslims living outside Iran, and points out that his book *Replies to Inquiries about the Practical Laws of Islam* is intended for them. The websites of Khamene’i do not provide information about the head office, the international network of offices, or other contact details.

Web presence of grand ayatollah Fadlallah

Ayatollah Fadlallah’s website Bayynat (bayynat.org) was established in 1997 and is managed from his office in Beirut.⁷⁷ The site is available in Arabic, Farsi,

⁷⁶ See website of grand ayatollah Khamene’i, www.leader.ir (accessed 20 October 2012).

⁷⁷ Bayynat is derived from the Arabic word *bayyinat* (sg. *bayyina*), meaning ‘proof, indisputable evidence’.

English and French. In an interview with the Lebanese daily *al-Nahar* in April 2000, grand ayatollah Fadlallah praised the open access of the Internet and its possibilities to transcend national borders and to bypass censorship. For Fadlallah this aspect was particularly relevant, since his printed publications were forbidden in certain Arab countries, usually for sectarian reasons and also because his *marja'iyya* outside the *hawza* was contested. He stated that 'the main aim of his and similar homepages is to present a positive picture of the "original Islamic culture", thereby correcting the negative image of Islam in the West' (Rosiny 2007, 255-256). In the site's introduction, ayatollah Fadlallah calls for a dialogue with his followers, stating that,

This site dedicates itself to share your problems and concerns with devotedness and a belief in the freedom of dialogue so as we would promote, together, the causes and concerns of Islam and the Islamic nation. In other words, it shines with your brilliance and exalts with your contributions. Indeed it is your site. [...] Bayynat strongly believes in the sharing of opinions and the exchanging of views.⁷⁸

This text shows how the late ayatollah related to his followers. By stressing participation and dialogue Fadlallah clearly had a different approach than Sistani and Khamene'i, who stick to a top down instruction of practitioners. The website's lay out also discloses at one glance that the website is only one of ayatollah Fadlallah's ways to communicate with his audience. It offers also entry points to Fadlallah's social media sites on Facebook, Twitter and YouTube, the latter offering films of his sermons, lectures and poetry readings.

A long vertical list of tabs on the homepage leads to a large number of articles on specific topics. One of those tabs leads to the Friday sermons - these sermons are partly devoted to worship and a second part addresses worldly affairs, such as politics, wars, terrorist attacks, corruption, intolerance and the like - of the late Fadlallah and his son 'Ali. There are tabs that lead to articles about Shi'i beliefs and role models, to articles about values, beliefs, human rights, family and women, to articles about Islamophobia and to the stories of converts.

⁷⁸ See website of grand ayatollah Fadlallah, <http://english.bayynat.org.lb/Aboutus/#.VrDldRhUhS8> (accessed 6 January 2013).

The *fatwa* section on bayynat.org is divided in three parts and differs from the traditional organisation of *fatwa* collections. The first, titled *Fatawa*, covers the *fatwas* on *‘ibadat* (acts of worship) and is organised traditionally. The section *Jurisprudence of life* provides rulings on new events regarding what is called ‘various aspects of modern life’, which involves the *mu‘amalat* (rules related to worldly matters and social relations). In this section the subjects are listed as jurisprudence of press, fashion, medicine, art, sports, literature, amusing games, sex, relationships, family, immigration, purity, minorities and markets. The third part, called World of Youth, is presented as ‘an unprecedented attempt to study the problems of the everyday life of the youth. It relates to their modern concerns and provides contemporary religious solutions to them.’⁷⁹

With regard to writing style, grand ayatollah Fadlallah differs from other *mujtahids* by giving lengthy explanations of his *fatwas*. In extensive motivations of his rulings, Fadlallah explains the Islamic viewpoint and often compares it to western practices regarding the topic. Usually Fadlallah cites from the Qur’an and one or more *hadith* of the Imams to enforce his argumentation.

After the death of the grand ayatollah (d. July 2010), his son *sayyid* ‘Ali took charge of the management of the office. The header of the homepage was changed in *the official website of the Institution of the innovatory jurisprudent sayyid Muhammad Husayn Fadlallah*.⁸⁰ In the interview I had with him in the office of the grand ayatollah, ‘Ali Fadlallah told me that he personally supervises the website’s content and makes true that it is coherent and according to the views of his father.⁸¹ He started to translate and publish articles on topics from the works of his father on the website.

Sermons, lectures and pictures of grand ayatollah Fadlallah, as well as accounts of his funeral are accessible via a row of horizontal tabs. The interviews of grand ayatollah Fadlallah with international newspapers and the letters he wrote to president Obama on the occasion of his election as president and to the presidents of France and Turkey about their banning the veil in

79 See website of grand ayatollah Fadlallah, <http://english.bayynat.org.lb/Aboutus/#.VrDldRhUhS8> (accessed 6 January 2013).

80 The site offers information in Arabic, Farsi, English, and French. A number of Bayynat magazines, published by the office of ayatollah Fadlallah in Arabic, were translated in Portuguese by members of the Shi’i community belonging to the following of ayatollah Fadlallah in Brasil. These issues were recently made available on the website bayynat.org.

81 Personal interview with the son of the late ayatollah Fadlallah, *sayyid* ‘Ali Fadlallah, in the ayatollah’s office in al-Dahiyya, Beirut, 13 April 2012.

educational institutes are still available, now classified under the heading 'archive.'

90 Some of the texts on the homepage change frequently, responding to current events. The same counts for the *fatwa* that is shown in a moving line on the homepage. I will give, as examples, the *fatwa* that was published on the homepage during the last weeks of 2012,

Q: Is it permissible to put a Christmas tree at home?

A: This is not part of our Islamic traditions, but it is not forbidden. However, it is preferred to get the children acquainted with the occasion of the birth of Allah's Prophet, Jesus (a.s.), by relating to them his story from the Holy Quran.⁸²

Such *fatwas* that match to the reality of that moment of many Muslims, and current news reports, show that the website is very frequently updated. Ayatollah Fadlallah's office became active in the social media by launching in April 2012 the Facebook page *Bayynat - official website of sayyid Fadlallah institution*, which is bilingual in Arabic and English. At the same time a Twitter account was opened that directly connects to the Facebook page. This Facebook page gives several new postings every day including *fatwas* and a new category called 'jurisprudential tips', postings on religious knowledge, links to YouTube-films of ayatollah Fadlallah and short commentaries on current events. There is a clear link between the Facebook page and the website of ayatollah Fadlallah, both issuing the same subjects and news events. The Facebook page develops into a discursive space with debates between Facebook-users, not necessarily followers of ayatollah Fadlallah or even Muslims, and the ayatollah's office. A short example of such debate is,

Q: What is the ruling if a Muslim receives an invitation to a party in a hotel, knowing previously that it will involve all ambiances of frivolity, such as singing, dancing, drinking alcohol by non-Muslims?

A: It is impermissible to take part in such things. (18 December 2012)

82 See website of grand ayatollah Fadlallah, bayynat.org (accessed 6 January 2013).

Q: What if u get invited in same kind of a party by Muslims???

(18 December 2012)

A: You are not allowed to attend such parties (21 December 2012).

During my visit to ayatollah Fadlallah's office in Beirut, spring 2012, I was told that a growing number of followers started to ask their questions through Facebook, also by private messages. The answer in such cases is returned through Facebook.

91

Processing Internet fatwas

The Shi'i religious leaders use their websites as a means for communication with their followers by offering the option to directly contact their office with questions regarding legal issues. This is a new development, because traditionally a *wakil* of the *marja' al-taqlid* was involved in answering questions in accordance with the views of the *marja'*. Such a representative was perfectly aware of the local conditions of the *muqallid*. With the new online *fatwa* service, laypeople from all over the world directly 'enter' the office of their *marja' al-taqlid*. This new interactive long distance procedure implies that the office of the *marja'* is completely dependent of the information regarding specific local conditions that are provided by the questioner follower. Such particulars are essential for a *mujtahid* to deduce a legal opinion (cf. Masud, Messick & Powers 1996, 20).

A feature of *fatwa*-giving is that the question not only initiates the legal scholar's interpretive activity but also constrains it. If the questioner omits detailed formulation and facts, the *fatwa* that is given cannot be more than a general ruling that does not take into account specific circumstances, or the *fatwa* is based on a wrong understanding of the question, which consequently leads to a wrong answer. Knowledge of local customs by the *fatwa*-giver is equally crucial (Masud, Messick & Powers 1996, 22-23). In the present study the aspect of language and translation plays a crucial role. This was reason for me to also investigate the processing of *fatwas* at the communication centres of the Shi'i religious authorities, as will be discussed later in this section.

The *istifta'at* offices of the grand ayatollahs Sistani and Fadlallah, which I both visited, follow similar procedures when it comes to the organisation of

the *fatwa* process. Nowadays followers living all over the world send their questions mostly by e-mail, Internet or by social media in a variety of languages. However, the religious scholars responsible for issuing *fatwas* usually only master Arabic or Farsi. Consequently, the process at the web centre concerns not only the formulation of an answer to a question; translating the question for the legal scholar and later the answer into the language of the questioner became crucial parts of the process.

The *Board of Istifta'* linked to the Aalulbayt Global Information Center of ayatollah Sistani in Qum is located in the small and busy Dore Shahr Street in Qum. The office of the Board daily receives between 350 and 400 questions through the Internet from across the world and in about 34 languages. The office employs around 65 people to handle the *fatwa* traffic. Once a question arrives in the web centre, the first thing to be done is translating it into Farsi, a job that is done by a team of translators consisting principally of *hawza* students who are performing this task after their classes, in the afternoons. Women among them pick up the work at the web centre and do the translation job at home. In case of doubt an expert is hired to check the translation. In order to make the system as flawless as possible, the questioner receives back both his question and the answer in his own language and in Farsi. This person can ask a supplementary question when it turns out that the legal scholar did not grasp the correct meaning of the question. 'The questioner must be certain of a careful handling and answering of his question, so everything is done to make him feel confident,' explained the manager of ayatollah Sistani's web centre, Mr Hashemi.

After being translated, each incoming question is evaluated and sorted according to the manner it should be treated within the office. A team of trained employees answers repetitive questions. Difficult questions are forwarded to a team of experts, seven in number, the majority of them being students of grand ayatollah Sistani. If this expert team is unable to reach a verdict, the question is passed on to ayatollah Sistani in Najaf. Often these kinds of questions deal with male divorce, Mr Hashemi told me. If necessary, ayatollah Sistani consults his *wakil* in the country or region of the questioner in order to get informed about the local circumstances and customs. Grand ayatollah Sistani's responses are handwritten and his office in Najaf sends

them to the web centre in Qum as a scanned document.⁸³

Sayyid Riyad al-Hakim, the representative in Qum of his father, grand ayatollah Muhammad Sa'id al-Hakim from Najaf, informed me that apart from the *wukala'*, the *marja' al-taqlid* has other sources of information about special circumstances, like the media, reports of people of his own circle who visit western countries regularly, and Shi'i Muslims living in the West visiting their *marja'* in Najaf. 'A *marja' al-taqlid* must be very well aware of the local circumstances in order to adapt his *fatwas* to local situations,' Hakim explained to me.⁸⁴ Questions sent to sites belonging to Sistani's network, like for example his London office, the Imam Ali foundation that is running the website najaf.org, are forwarded by the *wakil* in London if it is a new question. *Wukala'* are allowed to answer all repetitive incoming questions. For new questions they have to consult the centre in Qum.⁸⁵

The procedure in grand ayatollah Fadlallah's office is similar to that of Sistani's web centre. Incoming questions are translated by the ladies of the translation department, who also translate the content of the website and the social media sites from Arabic publications of ayatollah Fadlallah into Farsi, English and French. Their office is a room on the first floor, where also the offices are located of 'external relations and communication'.

On average, the office of Fadlallah receives between fifty and one hundred questions on a daily basis. 'Hajj and Ramadan are high season,' said *shaykh* Husayn 'Abdallah, a friendly man in his forties and a former student of ayatollah Fadlallah. He belongs to the staff of *maktab al-istifta'at* (the office that takes care of answering the follower's questions). After the death of ayatollah Fadlallah, the number of consultations remained on the same level. During my conversation with *shaykh* 'Abdallah a small stack of some ten questions translated in Arabic was put on his desk. 'Because Islam is universal,' he explained, 'there are no differences in the rulings related to *'ibadat* for Muslims in different corners of the world.' According to the *shaykh's* observations, the major difference between people living in Muslim lands and non-Muslim countries with regard to *mu'amalat* related questions is the higher number of

83 Interview with Mr Hashemi, manager of ayatollah Sistani's web centre Aalulbayt Global Information Centre, Qum, 27 February 2010.

84 Personal conversation with ayatollah *sayyid* Riyad al-Hakim, *wakil* and son of ayatollah Sayyid Muhammad Sa'id al-Hakim from Najaf, Qum, 24 February 2010.

85 Interview with Mr Hashemi, manager of Aalulbayt Global Information Centre, 27 February 2010.

questions about *hijab* and sexual norms by those living in non-Muslim societies. 'It is well known that Muslims living in the West strongly adhere to their religion and observe the religious rulings meticulously,' he said.

A bookcase with *fiqh* manuals and works on *usul al-fiqh* occupied the wall of the *shaykh's* room. He does not often consult those books, 'because the thought and method of the ayatollah are in my blood.' New questions, however, are always passed on to *sayyid* 'Ali Fadlallah. The team of *shaykhs* forming the staff of the *maktab al-istifta'at* does not work with specialisation on certain topics; they are all able to deduce legal opinions according to the ideas of ayatollah Fadlallah on any subject. The *shaykhs* answer the questions in Arabic. The translation department takes care of translating the answer in the questioner's language and sends it to him or her.⁸⁶

Conclusion

This chapter discusses how Shi'i *fiqh* for migrants to the West is a logical development in the Shi'i tradition, considered from Shi'i legal theory and the Shi'i structure of authority. Zooming in on the aspect of legal theory and the development of a new genre of religious regulation, specifically for Muslims living in the West, I explained that different *mujtahids* may arrive at different opinions because the process of *ijtihad* gives space for personal interpretation. The four legitimate sources for *ijtihad* are the Qur'an and the *hadith* of the Prophet and the Twelve Imams, consensus of the early jurists, and 'aql (human reason, intellect). The latter is obviously different for every *mujtahid*, because the character, conceptions and worldview of the *mujtahid* are crucial factors. The way of using the Qur'an and the *hadith*, and the possibility of prioritising the Qur'an over the *hadith* may also cause differences, as well as the use or exclusion of the legal legacy of previous jurists. I also discussed how Shi'i legal theory offers flexibility to adapt to time and place by making use of principles such as *darura* (necessity) and *haraj* (unbearable hardship). These principles offer possibilities to redefine *fatwas* in order to bring them in agreement with changing conditions in time and place.

86 Personal interviews with shaykh Husayn 'Abdallah, member of the *maktab al-istifta'at*, and with the team of the translation department in the office of ayatollah Fadlallah, Beirut, 13 April 2012.

As for the relationship between *mujtahids* and laybelievers I described how the introduction of *taqlid* as a religious duty for believers changed the relationship between a legal scholar and an ordinary believer into a power relationship in the 18th century, after the victory of the Usuli school of thought. Being a good Muslim from then on required living according to the legal opinions of a *mujtahid*. From a non-binding opinion, a *fatwa* became a tool for a *mujtahid* to influence the religious practice and social life of his followers. Indeed, according to this change in the Shi'i doctrine, the *mujtahid* determines whether the performances of religious duties of a believer are valid or void, hence, if a believer will be rewarded or punished on the basis of his actions on the Day of Judgement.

Considering the aspect of Shi'i authority, I gave an insight in how the emergence of a clerical hierarchy instigated the *mujtahids* to find ways to gain the loyalty of as many practitioners as possible, in order to contribute to both their prestige and their financial resources by the inking of *khums* from followers. Where originally *fatwa*-giving was a personal encounter between a legal scholar and a questioner, *mujtahids* started to transmit their thought by printed matter in the form of the *risalat al-'amaliyya* (*fatwa* manual for lay practitioners) by which they made public their ambition to become a *marja' al-taqlid*, and by appointing personal representatives (*wukala'*) on more distant places.

Transferring these historical developments to contemporary times brings me to the core of this chapter, the Shi'i religious authorities that today are the most influential among Shi'i Muslims, the grand ayatollahs Sistani, Khamene'i and Fadlallah, and their rulings for followers living in the West. By describing the careers of these religious authorities I have demonstrated that only grand ayatollah Sistani became a *marja' al-taqlid* in what can be called the traditional way, from a student of the *hawza* of Najaf to the most knowledgeable *marja' al-taqlid* worldwide. An estimated eighty percent of the Shi'i Muslims worldwide belong to his community of followers. The late grand ayatollah Fadlallah started at grass roots level and managed to gain a large following, even though his *marja'iyya* was not related to the traditional context of the *hawza*. Fadlallah is known as a politically engaged religious leader and in the field of *ijtihad* he is considered a reformer. Ayatollah Khamene'i attained the position through a non-traditional political path. He is the successor of *wilayat*

al-faqih Khomeini, the founder of the Islamic Republic of Iran. Yet, because Khamene'i in Iran is not recognised as belonging to the most knowledgeable legal scholars, he positions himself as such only for Shi'i Muslims outside Iran.

The design of the websites of Sistani, Fadlallah, and Khamene'i fully reflects the character of their *marja'iyya*. The web presence of Sistani focuses on *fatwas* and knowledge about the beliefs, history and role models in Shi'i Islam. Fadlallah's activities on the Internet and social media show engagement with actual discourses on Islam in the western world, politics, and his urge for dialogue between the adherents and representatives of different religions. The website of Khamene'i reflects his position as a political leader of Iran and shows that his religious views are a legacy of his predecessor, grand ayatollah Khomeini.

Given the importance for *maraji' al-taqlid* to gain prestige among Shi'i Muslims and to foster ties with lay believers as contributors to their resources in the form of *khums*, given the flexibility of Shi'i legal theory with regard to taking into account specific or new circumstances, given the developments in the field of communication, and given the fact that large numbers of Shi'i Muslims migrated to western countries in the last decades of the 20th century, I came to conclude that the emergence of Shi'i *fiqh* for migrants to the West fits entirely within the Shi'i legal tradition.

Nevertheless jurisprudence for Muslims in the West is a new genre of religious rulings in terms of objectives and content. In the view of the grand ayatollahs, living in a non-Muslim environment is a threat to the religious commitment of their followers. The aim of the new genre of regulation is on the one hand giving guidance to individual followers in western countries in practising their faith and in preserving their Muslim identity. On the other hand we see the *maraji' al-taqlid* instruct their followers to positively represent Islam, and we see Fadlallah call his followers to perform *da'wa* by actively sharing the message and traditions of Islam with non-Muslims. As regards content, the *fiqh* for migrants is complementary to the Islamic manuals. Topics are addressed which are not an issue in Muslim countries, in majority relating to the interaction with non-Muslims and the interaction between the two sexes.

A recent innovation in the relationship between a *marja' al-taqlid* and his followers concerns the Internet *fatwa*. The websites of the three religious authorities central in this dissertation reveal at a glance that they want to

maintain or expand their community of followers in the West and elsewhere, because their website is available in a variety of languages, whereas *mujtahids* who only have or seek followers in the own region have their websites only in Arabic and Farsi. In the offices of the most revered *maraji' al-taqlid*, translation has become an essential component in processing *fatwas*.

3

Contextualising religious
knowledge: the believer and
the *marja' al-taqlid*

In the previous chapter, I explored the relationship between religious authority and believers from the perspective of the *marja' al-taqlid*. In the present chapter, I will analyse the relationship between believers and religious authorities from the viewpoint of practising Shi'i youngsters in the Netherlands. I aim to answer questions such as: What is the importance of *taqlid* for young Shi'is in the Netherlands? How do Shi'i youths practise *taqlid*? How do the religious knowledge of the believer and of the *marja' al-taqlid* relate to each other? What is the religious knowledge of young Shi'is?

I will demonstrate that young Shi'is in the Netherlands are developing new modes of reflection that can be considered a transition from unreflective reproduction of the tradition to consciously think about it. The development is based on questions that are evoked by changes in societal and practical conditions as a result of migration to a non-Muslim society. This transition shows similarities with what Eickelman and Piscatori call 'objectification', a process by which many aspects of social and political life become subject to conscious reflection, discussion and debate. The notion of 'objectification' as described by Eickelman and Piscatori is based on the idea that reflection about fundamental questions such as: What is my religion? Why is it important in my life? How do my beliefs guide my conduct? leads to gaining religious knowledge through reading the religious texts and becoming able to personally interpret those texts. They argue that this process involves an awareness of other Muslims and of non-Muslim traditions that leads to engagement with one's own faith community (Eickelman, Piscatori 1996, 39).

This chapter consist of three parts, each exploring a different element of the objectification of the Shi'i tradition in the Dutch context. I will first discuss different paths of knowledge acquisition of Shi'i youngsters. In the second section I will analyse how religious understanding of lay people relates to the edicts of the *marja' al-taqlid*, how practising Shi'i Muslim use their religious knowledge, and to what extent Islamic law directs their actions. The last section discusses various aspects of practising *taqlid*, such as how Shi'i youth select a *marja' al-taqlid*, in which ways and on which topics they seek for the opinion of their *marja' al-taqlid*, and what their viewpoints and practices are with regard to the religious obligation of paying *khums*.

Acquiring religious knowledge

Moral starting points

Just like practices have a history, practitioners have their particular histories that make up their social identities, since they are born in and have ‘inherited’ a social context: as a child of parents, in a particular family, as a member of a religious community, as a citizen of a city and a nation. MacIntyre calls this ‘the moral starting point’ (MacIntyre 1981, 220). People start their lives with the moral freedoms and limitations of the different traditions as a result of the different communities they are born in. One is born as bearer of a tradition: a transmitter of the practices, of the modes of understanding between members of the community and of the virtues of that tradition. This defines one’s way of behaving, acting, and making choices.

101

My interviewees share a common religious tradition, Shi’i Islam, but otherwise there are many differences. They are from a variety of ethno-national backgrounds, they are from different types of families in terms of religious knowledge and practice, they have different life histories when it comes to education and upbringing, and they arrived in the Netherlands at different ages, alone or with their parents and siblings. As a result, reflection on their beliefs and religious practices started in different ways and in different stages of their youth. In this section I explore the different trajectories of knowledge acquisition.

Transfer of Shi’i knowledge

All of my Muslim born interlocutors grew up in Shi’i families where their parents taught them about Shi’i Muslim practices. Parents served as role models for Islamic conduct and moral behaviour (*akhlaq*). Without understanding the meaning of religious rules and duties yet, children grew up in the knowledge that actions were categorised in *halal* (permitted) and *haram* (forbidden).

For those of my interlocutors who were raised in the Netherlands in Shi’i families, the awareness of being different from Dutch children came early in life, usually with their entry into elementary school. Many of them remember

having been the first and only Muslim at school.⁸⁷ My interlocutors became aware of being different from their Dutch classmates because of the dietary habit of not eating pork. When they were young they took such rules for granted. ‘When I went to birthday parties my mother insisted that I was allowed to eat French fries, but no croquettes or other food containing meat. You learn to deal with this, and at some point your parents are confident that you bear this in mind yourself,’ said Bayan, a university student of 26 who was born in Syria from Iraqi parents and arrived in the Netherlands at the age of four, together with her parents and her brother. She lived according to what her parents presented as do’s and don’ts, knew when these were related to her ‘uncommon’ religion, yet felt a child like her Dutch peers.

A first step in becoming a practising Muslim, in the memories of my interlocutors, was learning how to perform *salat* (prayer) and *wudu* (ritual purification). According to Islamic law, children become *mukallaf* (person obliged to perform religious duties) in early puberty.⁸⁸ The age at which my interlocutors, boys and girls, learned how to perform prayer varied between seven and twelve. Usually their fathers instructed them, although before this they already playfully copied the rituals performed by their parents. Most youths remember performing prayers with the whole family, with their fathers in front. ‘My father used to call us loudly to prayer by doing *adhan* (call to prayer) for morning prayer, and then he woke us up one by one and we performed prayers together. That was very nice,’ recalled Bayan.

Many of my interlocutors were raised in families where their parents, apart from teaching the religious practices, fulfilled the need of children to understand and give meaning to Shi’i belief and practice. Parents read the Qur’an with their children, and the narratives about *ahl al-bayt* and the history of Karbala (see chapter 1). For many of my interviewees, having had such an education resulted in a strong commitment to faith. Iman, for example, a university student of 21 with an Iraqi background who arrived in the

87 As described in chapter 1, the majority of Shi’i Muslims arrived in the Netherlands as political refugees and were housed in cities and villages spread over the whole country. As a result, they often were the only Muslim family in a village or a city district, and consequently the only Muslim at school.

88 The general rule is fifteen years for boys and nine years for girls, following the Islamic calendar. See for the religious verdicts the websites of grand ayatollah Sistani, <http://www.najaf.org/english/book/5/inside/6.htm>, grand ayatollah Fadlallah, <http://english.bayyinat.org.lb/QA/qa.aspx?id=12>, and grand ayatollah Khamene’i, <http://www.leader.ir/tree/index.php?catid=38> (accessed 13 February 2013).

Netherlands at the age of five, said about her religious education that it taught her ‘to love God and to reach a spiritual level of faith, which makes you willing to satisfy God, to be a good human being. [...] If you have this feeling inside, that Islamic feeling, simply that religious feeling, the feeling of love and serenity, and the feeling that there is justice, then it is only a matter of fighting your desires.’ Iman’s strong desire to serve God sometimes leads to an enormous internal struggle with her own desires, she told me, examples of which we will read in subsequent chapters.

Not all young Shi’is have parents that have transferred thorough knowledge of their religion to them. Many know about religious practices but feel lost when it comes to their religious beliefs. Waiel al-Khateeb, an Iraqi man of 29 who works as a medical specialist and who is co-founder of Ahl al-bayt Youth, the oldest and largest Shi’i youth organisation, said about this,

The generation now in adolescence is a forgotten generation in the Shi’i communities. Their faith is never addressed. They were never asked what their needs are. [...] The older generation mainly tried to perform and preserve all rituals and habits exactly like they knew them from their home country. These adults are looking back. Young people want to look ahead. They as a matter of course have new questions related to modern times and to western society. Their parents cannot answer these questions. They cannot even empathise.

Al-Khateeb suggested in this respect that a large part of the older generation is mainly focussed on its own concerns and problems with settling in a new country. They want to keep bonds with their homeland and cling to their familiar lifestyle. In addition, the knowledge of many parents is limited to the worshipping practices and communal practices related to *ahl al-bayt* (see chapter 7). The observation of al-Khateeb implies that youths feel a need for religious understanding and guidance within their Dutch way of living, but that many parents are unable to provide them with the required knowledge. In the Netherlands, a ‘safety net’ in the form of an Islamic social environment, mosques and schools to provide some degree of natural transmission of

knowledge is lacking. Shi'i religious associations neither provide for religious education of children (see chapter 7).⁸⁹

104

Shi'i youngsters whose parents were able to transmit some basic knowledge about religious practices but who were not equipped for explaining the meaning of Shi'i belief in a broader sense experience great difficulties in remaining committed to their religion. One of them is Homayra, an Iraqi-born woman of 22, who at the time of the interview was a law student at university. She arrived in the Netherlands 15 years earlier at the age of seven, together with her parents and siblings. When it comes to the importance of understanding the meaning of Islamic rituals, regulations and practices, her narrative was enlightening because it clearly revealed the shortcoming of parents in understanding the needs of young people. Homayra defined her family as Shi'i but not strictly religious. 'For example, it was up to me whether I prayed or not.' The lack of religious knowledge of her parents became problematic for Homayra when she started to ask questions about Shi'i belief. She soon came to the conclusion that her parents were hardly able 'to distinguish cultural tradition from religion.' Homayra pointed out that those of the young generation whose parents were not capable of transmitting profound Islamic knowledge feel a strong need for acquiring more religious knowledge and for sorting things out for themselves. She attributed this also to the Dutch environment and schooling, as is testified by her words,

[We children of migrants have] a different attitude that may be the result of the fact that we not only have the Iraqi culture but also the Dutch. In Holland we learn from childhood to ask "Why?" And we [Dutch youth] are used to getting or finding an answer. But with us [Iraqis] it is, "because I say so," or, "because God wants it," or, "because it is *haram*." You never get a real answer. At least that is how I was raised, and I know of many others experiencing the same. But sometimes you feel that something your parents say has nothing to do with religion, that it can only be cultural tradition.

89 This shows a major difference with the settlement history of Sunni Muslims in the Netherlands, who immediately after their families were reunited started to establish mosques and foundations for providing religious instruction to their children. See Van Bruinessen (2011, 1-27).

From the age of twelve, when I reached puberty, I started to sort things out in books and on the Internet for myself.

Homayra told me that during her youth, praying with the family was common practice. 'My father was in front and the whole family was behind him. Praying together and fasting was a common practice, because we are from Iraq. Of course we knew how to perform prayers, we also knew lots of verses from the Qur'an. But I did not know any stories about the Prophet, about Mecca and Medina, nothing of that. So I knew the rituals but not their meaning and values. [...] And if that information is lacking, eventually you realise that the rituals have no value for you. So I stopped praying when I was 12.'

105

Some years later her sister-in-law, a Dutch convert to Shi'ism, started to ask Homayra questions about Islam and Islamic law. 'I could not give her any good answers. She then bought a Qur'an for both of us and we started to read. [...] I reverted, thanks to her. She brought me back to the religion I was born in. In fact, she gave me more answers about Islam than my parents ever did.' Motivated by the need for giving meaning to religion and religious practices, Homayra and her sister-in-law consciously started a process of studying and reflecting on Islam, without seeking the guidance of a religiously trained person.

Homayra's parents did not contribute to her religious understanding. They instructed her about religious practices and codes of conduct, but they proved incapable of transmitting knowledge about Islamic belief. The desire to understand Islam was only fulfilled when she met a likeminded person, a newcomer in her Iraqi social circle and in the tradition altogether, who questioned Islam in order to be able to commit to it.

Search for Shi'i knowledge

Starting a 'new' life in a non-Muslim country and being surrounded by non-Muslims was for part of my interlocutors a stimulus to gain knowledge and understanding of their specific Shi'i religion. When they arrived in the Netherlands, mostly in their late teens, these young Shi'is regarded themselves as practising Muslims. Only in the Netherlands did they start to discover the distinct features of Shi'ism.

Someone who arrived in the Netherlands as a teenager is Fatima. She was 15 when she set foot on Dutch soil, together with her family. In Iraq, her family lived 'Islam in general', as Fatima called it, since there was nothing specifically Shi'i in how they practised their religion. She told,

106 In Iraq we had no Shi'i books because possessing such books was prohibited by the regime of Saddam Husayn, and at that time we did not yet have the Internet. Once we arrived in the Netherlands, I wanted to know more about our Shi'i faith. Why are we Shi'i? What are the principles of Shi'ism? How should I act as a Shi'i Muslim? What are the differences between Sunni and Shi'i Muslims? At school in Iraq we did not know of each other who was Sunni or Shi'i. [...] In Iraq we followed the Islamic tradition, but more in general, like reading the Qur'an, doing prayers and fasting, but I did not notice any differences between Sunni Muslims and us, the Shi'is.

Once in the Netherlands, Fatima started to question her parents about Shi'i beliefs. She experienced that being Muslim was no longer as self-evident as it had been in Iraq. Feeling a stranger among Dutch schoolmates, her religion provided her something to hold on to. She said,

Faith provides guidance, and maybe one only starts to gain more in-depth knowledge over here [in a non-Muslim country]. Over there [in Iraq], everyone is Muslim and everyone acts the same. But here you are Muslim on your own, between people having no faith and other people having different beliefs, and then you just start to gain knowledge about your own religion and compare that to other religions. You feel guided by your faith and you want to live according to its rulings.

Later in our conversation, Fatima explained that she felt much isolated during the first years in the Netherlands. When she arrived as a teenager she found no connection to her Dutch classmates at school. The first obstacle was the Dutch language. Once she had mastered Dutch sufficiently, she felt completely disconnected from what she called, 'their funny world of going out to pubs and discotheques.' From the first moment, it was obvious for Fatima that she could not be part of that 'funny' social world that would lead her astray. During her

first years in the Netherlands, Fatima became much more aware of her faith and the meaning it had for her: a guide through life. The flip side of Fatima's attachment to her faith was the social isolation she found herself in, being the only Muslim at school among Dutch classmates. She considered such situations a test of God and devoted increasing attention to her faith. Unlike Shi'i girls who grew up in the Netherlands from their early youth, Fatima never succeeded in entering into real friendships with non-Muslims.

Other Shi'i Muslim adolescents arriving in the Netherlands became active participants in Dutch society and engaged with Sunni and Shi'i co-religionists and with non-Muslims. One of them is Rafi, whose search for Shi'i knowledge was initiated by interaction with non-Shi'i people in the Netherlands. Rafi fled Afghanistan during the first months of Taliban rule, at the age of 16, together with two older nephews. At the time of our interview, he was 29 and worked as a dentist. Rafi explained that religion became more important for him after arriving in a non-Muslim country. He said,

Once in the Netherlands I became aware of being different, and of belonging to a minority. For me it was a process of becoming conscious. I was forced to seek knowledge about my religion because people, Sunni Muslims and non-Muslims, started to ask me questions, and I needed to find the answers. We Shi'is do this, but why do we do this? We believe in the Imams, but why do we believe in the Imams? Why do we cry on 'Ashura? Why do we pray like this [arms unfolded] and not like that [arms folded]?

Rafi explained that only in the Netherlands did his Shi'i Muslim identity 'get substance' in the form of knowledge and belief. Especially in his first few years in the Netherlands, he read a lot about Islam. Recalling those years brought him to a deep sigh, because he had to organise his own life, to learn a new language, to finish secondary school and to learn what his religion was about and how he had to live it. Rafi sought to balance his Shi'i knowledge by reading books of modern Shi'i thinkers like Shari'ati and publications of Shi'i lecturers at American universities.⁹⁰ Only by reading religious texts and publications about the position of religion in modern society did he learn to understand

90 'Ali Shari'ati was a sociologist of religion who had reformist ideas and who is seen as an ideologue of the Islamic Revolution in Iran.

Shi'i beliefs. So, from someone who had taken his Muslimness for granted and from childhood had always performed Shi'i worship practices without thinking, he turned into a conscious Shi'i Muslim in the Netherlands.

108 Even when one arrives in the Netherlands with a profound knowledge of Shi'i faith, the new living environment urges a quest for Shi'i knowledge. This was the experience of Arezu, a university student of 32 who came from Iraq to the Netherlands 12 years ago. Living in a non-Muslim country and getting questions from Dutch teachers and fellow-students deepened her religious awareness and her way of reflecting on Shi'i faith. The duty of a Muslim, according to Arezu, is to search for the right answers not only to one's own questions but also to those of others. Her conception of being held personally responsible [by God] makes that she is constantly engaged in finding the best explanation to questions of others, which in turn continuously deepens her own understanding of Islam. Being a Shi'i Muslim among non-Muslims gave impetus to comparing her religious tradition with other traditions, and distinguishing between practices belonging to the belief system and inherited customs that she calls 'cultural.' 'One can leave behind culture and adjust to new circumstances, but faith travels with someone. [...] I became a new person here,' Arezu concluded.

For Kamran, an Afgan university student of 23, his desire to give meaning to life led him to the path of Shi'i Islam, the religious tradition of his non-practising Afghan family. When he started his quest, he had no religious knowledge and did not know how to practise Islam. Kamran arrived in the Netherlands at the age of six. He is the only one of my interlocutors who was not able to develop friendships with Dutch peers simply because they were not around. At secondary school in one of the large cities in the Netherlands, there was only one Dutch boy. Much to Kamran's regret, also his university circles consist of non-Dutch people, while he hoped to build close contacts with non-Muslim Dutch youths, 'Because one learns from having a circle of friends of diverse backgrounds. Having a discussion forces you to think about your position and opinions.'

Dissatisfaction with the injustice and lack of principles of society, in Kamrans words, led him to start searching for his religious roots. His need for spirituality and giving meaning to life motivated him to start reading the Qur'an. He taught himself how to perform prayers. Just a few years after he started gaining

religious knowledge and practising his religion, his family began to call him 'the *shaykh*.' He said smilingly, 'My nephews and nieces are a little afraid of me because they think I am radicalised.' Kamran visited mosques of various Muslim branches in the Netherlands, also some that are known as Salafi mosques. His quest for knowledge led him to read a wide variety of Islamic works of Shi'i and non-Shi'i authors. From a Shi'i Muslim-in-name, Kamran turned into a practising Shi'i Muslim who loves to reflect on and discuss religious matters with anyone, no matter his or her religion.

109

The conversations with Fatima, Rafi, Arezu and Kamran show that immersion in a non-traditional context and being a minority within the Muslim community in the Netherlands motivated them to individually search for the tenets of Shi'ism and to reflect on their religious tradition. Apart from Kamran, performing religious duties was already common practice in their lives. Reflection on these practices only started when they were confronted with non-Muslims and other Muslims. This initiated in them a need for acquiring knowledge and understanding Shi'i Islam and its practices.

Newcomers in the tradition

Dutch converts to Shi'ism went through a process that was reverse of those described above. They were not socialised into the Shi'i tradition but mostly entered it with only a basic knowledge of Shi'ism. Often without being sure yet about their conversion, my converted interlocutors began performing Islamic practices. With their decision to enter into the Shi'i tradition they got a new position within their 'own' Dutch society. For some converts this process took only a few months, for others it took years.

Yvonne Yazbeck Haddad mentions that the interest in Islam is often initially aroused by encounters with Muslims because they show strength of belief that gives meaning to life and inner peace (Haddad 2006, 27-28). This was also true for the converts I met, most of them born in Christian families. They emphasised that their decision to convert was the result of a personal quest and that they were not influenced by intensive contacts with Shi'i or Sunni Muslims. According to my converted interviewees those Shi'i persons only encouraged them to search for as much religious knowledge as possible. They exerted no pressure. Converts I have spoken with perceive their decision to

convert to Islam as an autonomous one. Other research shows that individual conversion narratives are constructed backwards. The process of constructing a conversion narrative does not only take place on an individual level but is also influenced on a group level. Experiences are discussed and common elements are incorporated into the narrative of conversion (McGuire 2002, 76, Van Nieuwkerk (ed.) 2006, 97-98).

With regard to conversion processes, Stefano Allievi makes a distinction between rational conversions and relational conversions. According to Allievi, a rational conversion is induced by an intellectual search whereas a relational conversion is induced by relationships with Muslims (Allievi 1999, Allievi 2006, 121). Rational conversion usually led Dutch converts among my interlocutors to Sunni Islam and in a later stage of the conversion process onto the path of Shi'ism. The relational conversions of most of my female converted interlocutors brought them to Shi'i thought and knowledge without such a detour. With regard to performing the *shahada* (Islamic creed) there is a distinction between rational converts, who made this declaration in public in a mosque in the presence of several witnesses, and relational converts, who performed the creed at home, on their own. Relational converts argue that performing the *shahada* is 'something between you and God.'

Mehdi, a Dutch teacher of 31, is an example of a rational conversion as typified by Allievi. He was a practising Christian and went to church regularly but he became more and more interested in Islam. Mehdi first converted to Sunni Islam and after gaining more knowledge about the religion he eventually opted for Shi'i Islam. In his view Shi'ism is 'more philosophical, mystical, and leaves more space for logic thinking and critical search.'

A representative of a relational conversion is Mona, a medical doctor of 26. Her process of religious search started in her adolescent years by reading the Bible, in which she did not find the consistent belief system she was searching for. She considered herself an atheist until the age of 16, when she met the man she would later marry, a young man from Shi'i Iraqi-Iranian background. He took away her distrust in religion by giving sound and logic answers to all her questions and arguments. This prompted her to reconsider her negative ideas about religious beliefs. She started reading about Shi'i Islam and searching the Internet, and she found logic and consistency in the Qur'an. Mona met more Shi'i Muslims, discussed Islamic ideas with them, and finally decided to

become a Shi'i Muslim. Islam is for her, as she said, 'A good way to go along with God.' Furthermore, she experiences *ahl al-bayt* as an important aspect of Shi'i faith. For Mona they are a source of inspiration. 'They are our role models, from them we can learn how to live our lives today.' One year after discovering Islam, Mona started fasting during *Ramadan*, without immediately making this known to her parents and to the outside world. She started performing prayers, instructed by her friend about the rituals of purification and *salat*. She learned the prayer texts from books. By following the behaviour of other Shi'is she learned 'how to behave like a Muslim in daily life.' Mona experiences 'a comforting presence of the existence of an essential goodness.' In her understanding, the meaning of praying and fasting is to stay in touch with this goodness, which is a reason for her to be consistent in performing these practices.

III

For the Dutch psychiatrist Enfal of 34, it took many years before she finally decided on her conversion. Enfal did not have a specific history of religious search. She was living a vibrant student life when she met her later Shi'i-Iraqi husband. In retrospect she was concerned in those years about how to live a good and meaningful life, she told me. Being born and raised in a Catholic family, Enfal learned the Christian values, but she missed the tools to apply them in daily life. Her future husband aroused her interest in Islam. 'It began with exchanging ideas and having talks about Islam, and then I started getting really interested. Then a long phase followed of gaining knowledge by reading books, by searching the Internet, and by participating in Internet forums for converted Muslims. I was especially convinced by the scientific nature of Shi'i Islam, after having read many very scientific, rational books on Shi'i faith, such as the book of Imam Khomeini called 'Forty *Hadith*' in which each chapter covers a virtue.'⁹¹ Enfal said that those virtues, such as taking care of each other or how to cope with anger, give her direction in life and serve as a guide.

Enfal's attraction to Shi'i faith resulted in a conversion seven years later. After the knowledge gaining phase, a long process of considering and reconsidering followed with as a central question: Do I want this? Do I really want to live a Muslim life? She said, 'Only when I started to study Islam did I recognise that Islam bears many of the Christian values [...] It is very much in line.' The major

⁹¹ See for Imam Khomeini's book *Forty Hadith*, <http://www.al-islam.org/fortyhadith/> (accessed 13 February 2013).

difference, she said, is that Islam is a way of living, structured by rulings. 'For me living a Muslim life means living according to all the rulings, from eating *halal* food to wearing a headscarf to no longer drinking alcohol. Being a Muslim is not simply a faith. It is a way of living. I was not sure if I wanted that way of living.' Like most of my converted interlocutors Enfal started performing prayers and fast during the stage of orientation and Islamic knowledge acquisition. Like other female converts, she tried the headscarf now and then in the preparatory phase to conversion. She also started to adjust her clothing style.

Enfal's search for Shi'i knowledge and consequently her frequent presence on Internet forums led her to other Shi'i converts. These contacts proved an important source for a 'we-feeling'. With a group of female Shi'i converts, Enfal started a network called ShiaSisters to exchange knowledge and experiences, both through the Internet and by organising women's meetings. During those gatherings they jointly read the Qur'an and narratives of *ahl al-bayt*, and they discuss the religious meaning of the texts, scholarly commentaries and ways to apply this knowledge in their daily lives.

Research indicates that often the public declaration of faith is connected to taking another name as a sign of commitment to the religion (Allievi 2006, 124, McGuire 2002, 83-84, Van Nieuwkerk (ed.) 2006, 155). My converted interlocutors indeed often chose to take a second name when entering into Muslim space, especially when it concerned presence in the social media. Yet, all of them kept their original name in Dutch public and private space. Showing commitment to their new faith system specifically occurs in debates, and also often in the social media, by motivating the correctness, logic and modernness of the Shi'i belief system in comparison to Sunni Islam, especially the Salafist interpretation that appeals to many other Dutch Muslim converts. My converted interlocutors mentioned that they had to become familiar with the system of Islamic law. Initially they had been almost obsessed by it, certainly those whose process towards conversion took only a few weeks.

Applying religious knowledge

Islamic values and Islamic law

In search for the relation between the individual young Shi'i Muslims and Shi'i religious authorities, I wanted to find out how the religious knowledge of the layman relates to the knowledge of the *marja' al-taqlid*. How do practising Shi'i Muslim use their religious knowledge? To what extent does Islamic law direct their actions? When asked, Waiel al-Khateeb, a man with a leading position in the Shi'i youth community, explained that living according to religious rulings in the Shi'i tradition is not a goal in itself. Following those rulings is rather 'part of becoming a faithful human being striving to achieve a state of perfection.'

113

In a debate about the influence of Islamic law on Islamic moral conduct on the Facebook group Ahlalbayt4Everyone (see more about this community in chapter 7), I found statements such as 'For becoming a better Muslim, I have benefited a lot more from studying Islamic and secular values than I did when I studied Muslim law only,' and, 'Unfortunately these days Muslims are mostly taught Islamic law, while Islam is not a to-do-list for upright living. Muslims are not taught responsible decision-making. Only by knowing the values taught in the Qur'an and by *ahl al-bayt* one can make conscious and responsible decisions in everyday life situations.'⁹²

Living a just life

In Shi'i Islam, those belonging to *ahl al-bayt*, the members of the family of the Prophet, are emulated for their positive characteristics and they serve as role models who, although having lived in the past, are part of the present (Deeb 2009). Apart from the Prophet and the Imams, Fatima, the daughter of the Prophet Muhammad and the mother of Imam Husayn, and Zaynab, Imam Husayn's sister, both play an important role as female role models (Aghaie 2004, Deeb 2009, el-Husseini 2008).

In the interviews I had for this study and during the gatherings I attended, I discovered that *ahl al-bayt* serve as role models for Shi'i youngsters while they try to take a position as a Shi'i Muslim in Dutch society and to solve problems

⁹² See Facebook group Ahlalbayt4Everyone, <https://www.facebook.com/groups/1535681360008372/> (latest access 1 October 2015).

encountered in situations occurring in everyday life. One of the active members of the youth association AhlAlbaitYouth, the university student Abbas, 20, from Iraqi descent, mentioned the idea of the ideal moral person by saying that ‘everyone has an image of the perfect man, although no such man exists today.’ In the gatherings of AhlAlbaitYouth, Abbas told me, ‘we try to take specific actions or happenings from the lives of our 14 infallibles, from the Prophet to the twelfth Imam. We present that way of being and acting as a quality that belongs to the perfect man. We say, “Look, this is what ‘Ali (a.s.) did, or this is what the Prophet did on this and this occasion. His behaviour is that of a perfect man.” On other occasions, we choose a fragment of his daughter’s or his grandson’s life.’

Living a just Muslim life, I learned from my interlocutors, relates first and foremost to duties and responsibilities in the social field. Rafi, for example, explained as follows that for him Muslim practice starts with the five fundamental elements of Shi‘i belief, the *usul al-din*,

We believe that first there is one God, then there are the Prophets, the last of them being the Prophet Muhammad, and then we have the Imams. The fourth is the Day of Judgement. Finally, the most important element is ‘*adl*, which means justice. And this last one, ‘*adl*, is also the most important in my daily life. [...] For me, as a Muslim, acting justly is more important than practising all rituals. Look, [...] if you do not perform prayers, you are still a Muslim, only you do not fulfil your duties completely. But if you do not follow these five basic elements you have a big problem, because those form the basis of everything. If you do not act justly, well, even if you pray ten times a day, if you do not act justly you cannot be a Muslim, I think.⁹³

In Rafi’s understanding, living a just life is the main task for a Muslim, which by definition takes place in the social sphere. The performance of worshipping acts is, according to Rafi, a Muslim’s duty but not the same as living a just life.

When Yasser has to decide about how to act, so he told me, he often thinks, ‘What would Imam ‘Ali do?’ Yasser, an Iraqi man of 32 who works as an

93 Islam knows the concept of the last judgement in two ways. There is a final judgement of the whole Muslim community, and at the end of an individual life there is a final judgement of that particular person about his or her true beliefs and actions. See Allen Fromherz, ‘Final Judgment’, in Esposito (2009, Vol. 3, p 275).

accountant, attaches great importance to a Muslim's social responsibilities, as testify his words,

Islam means acting. You act. According to Imam 'Ali, Islam means interacting with people, *mu'amalat*, so if you do not interact with people according to Islamic law, you are not a Muslim. Whether you follow *Ramadan* in your whole life, perform the *haji*, and respect all other duties, those are not important. It is important that you act. [...] Performing those acts is a bond between God and you, and [the meaning of] those acts is not what you do, but why you do them.

115

In Yasser's understanding, the social responsibilities of a Muslim are of higher importance than his performance of worship acts. He emphasised the intention of one's actions, the reflection on the just way of acting. His statements illustrate how Shi'i role models are examples for an ordinary believer in today's world, especially with regard to social interaction. High school student Yasmina (18), daughter of a Dutch father and a Moroccan mother who both converted to Shi'i Islam, summarised it in one sentence, 'My mother always says *husn al-khuluq* (good moral conduct) is number one. Honesty, openness, being trustful, caring for others.'

In living a just life, religious regulation serves as a guide, according to my interlocutors. Iman, who we met earlier in this chapter, stated, 'Religion is much more than the rulings. Of course, there are rulings and one should follow them, but religion is something much bigger. It has to do with love and strength.' She started giving an explanation on how religious regulations in her view reflect the meaning of Islam, how she feels obliged to obey the rulings, and how the rulings are helpful for her in being a good Muslim, both for her personal well being and on the societal level. She explained it as follows,

I always try to seek explanations for religious rulings. I have done that my whole life, immediately asking the question, "Why?" Sometimes the answer remains unknown, and then, if you are convinced that God wants you to do so and if you really believe in God, you just follow the rulings. This is the way my spiritual faith is linked to religious regulations. [...] One might think, like I did, "Why all those rulings?" But I find those rulings very useful. Look, when

a prophet like Mozes from some mountain says to an audience of five thousand people that they should behave well, that they should act nicely towards their neighbours, their friends and their family, everyone can interpret such commands in a different way. Everyone has a different understanding of good behaviour and of treating one another lovingly. Hence there are rulings, many rulings, to control society, and not only society, but also every human being at a personal level.

Having religious rulings as a guideline helps Iman in getting a good understanding of what is expected of her as a Muslim in interacting with others. In her opinion, religious rulings make life easier because they clarify how to be 'a good person'.

The aspect of finding the logic behind religious opinions and the deliberations on how to bring those rulings into practice was also raised by Aliye, an Afghan medical doctor of 25. Aliye stressed that following the rulings cannot be a matter of blindly following. It always involves making internal judgements, certainly in a non-Muslim society. She said,

Islam is moral behaviour. It is about how you act [...] It is living consciously, making choices consciously. Islam is not a religion in which it suffices to say, 'I believe in something and that is it.' No, I live my religion, and I live for my religion, in everything. [...] Some people consider religious rulings constraints. For me, rulings serve as tools that make life easier.

She continued,

Of course there are times when I realise that the way you represent your religion is more important than strictly following the rulings. Islam is not an inflexible religion. Nothing is black-and-white. It is rather very dynamic, very flexible. As is often said within our religion, it is the intentions that matter, and intentions are sometimes more important than the act itself. I have the intention to live according to the rulings and I really do my best. But when it is impossible, well, then it is impossible.

Aliye explained that religious rulings help her to live 'a good Muslim life' in

which she is constantly aware of how she is expected to act from an Islamic viewpoint. Her starting point is not whether an action is permitted or not, but rather how to best perform an action. Religious rulings give her guidance and the flexibility of those rulings offers space for conscientious consideration.

By pointing at the flexibility of religious regulation and explaining that intention and representation should be taken into account in following religious regulation, Aliye demonstrated the complexity of moral decision-making that young Shi'is in a western context are faced with. We will learn more about this complexity in chapters 4 and 5 of this dissertation.

117

Being accountable for one's actions

Ethical responsibility in Islam connects one's condition in afterlife with one's earthly way of life. Human action in this world thus becomes meaningful in light of the life in the next world, and moral righteousness in the here and now is decisive for one's life account. Determinants for God's judgement regarding afterlife, thus, are practices of worshipping God and one's actions towards other people in earthly life (Halstead 2007, 292).⁹⁴ Pious Shi'i Muslims share the belief that before Judgement Day, the Hidden Imam will return to restore justice and equity on earth, and that Judgement Day is a definite end point to history (Deeb 2006, 27, Sachedina 1978, 109). For many Shi'i youngsters, this 'fact of life' influences their everyday worldly life and is part of their conscious decision making.

Iman repeatedly mentioned God's judgement and her making sacrifices for God, strongly believing that God knows how much effort this takes her and that he will reward her for her endeavours. 'He will count it all.' Iman said to be aware of God's omniscience throughout every day. Her future encounter with God on the Day of Judgement is often in the back of her mind, she declared, giving the following explanation,

It is inner *jihad*. That is called *jihad al-nafs*, *jihad* with yourself. It means fighting against your desires because God wants you to do so, because you want to follow his rules, because you like to live in a way that pleases God.

94 Jane I. Smith, 'Afterlife', in Esposito (2009).

[...] God looks at how you live with such ordeals. They might have something to do with the way you interact with other people, and I am often very aware that such situations are a test for me. But they also might have something to do with yourself, with your own desires, for example, that you would love to walk outside with loose hair in the wind and a short skirt and with the people whistling at you, you know? Every girl has such experiences. Every girl wants such experiences. If you fight such feelings with God in your mind – not with your father or your family or the honour of the family in mind, like many people tend to think – if you fight that with God in your mind then it is for good reason, then it will be counted [...].

Iman lives by the assumption that God constantly imposes trials and tribulations on her. The struggle against the self, against negative feelings, desires and temptations are one way to deal with these tests. She emphasised that one's struggling should be motivated by piety and not by worldly feelings if one wants it to be counted on the Day of Judgement. Iman expressed her views about her earthly mission and the Day of Judgement as follows,

One should always try to become a better person, every day. [...] In Islam it is believed that God can forgive the sins you committed against him, but sins that are committed against other people should be forgiven by those persons. [...] And that is a very difficult task. Sometimes I think, "I gossiped about someone, what would happen if tomorrow it appears to be the Day of Judgement? God cannot forgive me before this person I gossiped about has forgiven me. But there will be much commotion and it will be busy, how do I find that person? And what should I do for someone to forgive me in this life?" But I do not want to tell this person that I gossiped about him or her because that would completely change our relationship. I found some solutions to this problem. First, you can stop gossiping, and I was taught that as soon as you really stop doing something wrong, like gossiping, God will forgive you. If you really do your utmost to stop such a habit, God will take this into account, or how do you say it, into his considerations. Second, you should pray for those people, make *du'a* (prayer) for them. God offers this possibility. If you really strive to live your religion as perfectly as possible, although perfection is hardly possible [...] He can always forgive. If you ask

for forgiveness, and if you try hard to stop the action, then it is impossible for God not to forgive such a person.

In everyday student life, Iman is surrounded by Dutch friends who do not live with the idea of being accountable to God, neither for their feelings nor for their actions. Their way of living makes Iman more aware of what she denies herself because of her religious beliefs. She would not be able to live a good life without her religious conviction, she stated, and she is happy with her strong *iman* (faith) and her disciplined character.

119

Shi'i converts assume that pronouncing the *shahada*, the testimony of faith, leads to forgiveness of previous sins. Converted Muslims therefore generally feel that their history in terms of committing sins is still quite short because most of them converted not more than a few years ago. The idea of a hereafter that should be earned by living virtuously and piously and by following the structure of life offered by Islam gives their life purpose and direction. The converted psychiatrist Enfal expressed how the consciousness of a hereafter has affected her daily life since her conversion. She experiences that Islam gives her 'a structure, or a goal, which gives an inner peace.' Looking at her Dutch circle of non-Muslim friends, she observed that many of them are restless, and then she realised, 'I feel peace, I no longer feel that I have to discover life. I live here and now. I have a goal now, and yes, this goal is the hereafter. I do not live to have fun in life. That never gave me any satisfaction. Now I am no longer driven by the idea that fun is the purpose of life. Do you understand? This is what Islam gave me.'

Many of my interlocutors live by the idea of an 'afterlife account' that will be calculated by God on the Day of Judgement. The balance of this account will be the sum of one's actions during life. Religious scholars have categorised all human acts, based on how they thought the acts would count in the eyes of God. Two clear categories are the forbidden (*haram*) and mandatory (*wajib*) acts. In between there are three remaining categories: recommended (*mandub*, *mustahabb*), neutral (*mubah*), and disapproved (*makruh*) acts (see chapter 2). For many Shi'is this categorisation is an important guideline in considering their actions.

During a Shi'i youth gathering of AhlAlbaitYouth, a Shi'i youth organisation with mostly Iraqi members, I have witnessed instruction on this categorisation.

Hamid, an Iraqi man of 25, in daily life a psychiatrist, who in the youth organisation is the figure that specifically studies *fiqh* and often transmits *fiqh* knowledge (see chapter 7), explained to the audience the differences between the categories of actions and their repercussions in the hereafter in the following words,

120

Every action can be distinguished as *halal* or *haram*, and if you know this distinction you know the basis. There is no third option. So, with everything you do, you know if it is allowed or not. If it is not allowed, there are two possibilities: doing the act will be punished, it is *haram*, or doing the act will not be punished but your position will be further away from God, which is called *makruh*. God will say, "I will not punish you, but you will not come nearer to me." You lose a rank, so to say. Actions that are allowed should be distinguished in three categories. First, we have the acts that are not only allowed but in fact a duty such as prayers, for example, and if you do not perform these acts you will be punished. The second category of permitted acts consists of those that make you come closer to God, but you will not be punished if you do not perform them. And finally the third category involves the acts that have no effect on being closer or further away from God.

The exposition of Hamid represents a strict approach of *fiqh* that I came across quite often, certainly among my Shi'i interlocutors of Iraqi background. This finding corresponds with the remark of Liyakat Takim, who says that Iraqi Shi'is are relatively strict compared to Shi'is from elsewhere in following the letter of Islamic law (Takim 2009, 26).

The Iraqi university student Arezu does not attend youth meetings in the Netherlands but she was also raised with the idea of having an account with God. It strengthens her motivation to keep the hereafter in mind, she explained,

If you keep on thinking about *al-akhira* (the hereafter), your goal remains very strong. You keep on working hard to achieve your goal. I want to have enough points to go to paradise, so I constantly think and make plans how to achieve my goal.

Instead of talking about 'rank', as Hamid did, Arezu counts in 'points'. She

gives an explanation how she and other Muslims apply those categories in a non-Islamic country.

It is our duty – imposed by God, not by people – to act *halal* and not *haram*. [...] And we also know in Islam *mustahabbat* (recommended acts) and *makruhat* (disapproved acts). Doing *mustahabbat* gives us extra points, like a bonus. [...] We believe that *mustahabbat* have positive influence on the spirit and the soul, like doing sports has a positive influence on the body if you want to make a comparison. On the other hand, *makruhat* have a negative effect on spirit and soul, so we better not do them, like sleeping too long. If it is too difficult here to do *mustahabbat* or to avoid doing *makruhat*, Muslims may temporarily forget about those acts, because they only make a difference in the bonus points.

121

With the above explanation Arezu provides an insight into how the categories between the forbidden acts and the mandatory acts give space for conscientious deliberation. Yet, having this space does not solve all difficult situations encountered by Muslims living in a western country, as is shown by my conversation with Amina, 24, research assistant at a Dutch university. She arrived in the Netherlands at the age of two with her Iraqi family. Amina was born in a family in which religion was of central importance. She told me that she has a varied social life of friends and colleagues, Muslim and non-Muslim. In her dealings with non-Muslims she often feels a dilemma between either her duty to act in the interest of Islam, or keeping an eye on her personal afterlife account. ‘Committing a few sins every day means that the sins are piling up with growing older. In turn I do not think that I do many positive things in the interest of fellow human beings, no, I do not think so. So this list [of disapproved acts] becomes longer, and this list [of recommended acts] remains a bit behind.’ She put forward her dilemma as follows, ‘In Islam it is propagated to reach out to as many non-Muslims as possible, but by doing so how for heaven’s sake can I avoid those difficult situations? That is impossible. I made up my mind: I live here and now.’

What Amina pointed at is the difficulty of exactly following Islamic law in a non-Muslim country. She often considered what should prevail, the image of Islam or her personal authenticity? Representing Islam in a positive way in the

Netherlands is a recommended religious practice, she explained, but it requires adjustment to Dutch circumstances. Precisely adapting to those non-Islamic conditions involves committing acts that are in fact not allowed and that negatively affect her account for afterlife. Her choice for ‘living here and now’ means that she has chosen which way of reasoning to follow in her personal deliberations. The interest of Islam, she decided, is bigger than her personal interest. Amina said, ‘I am really curious what will happen on the Day of Judgement. [...] I am very serious about religious rulings, but, well, everything also depends on your intention. For example, I take a seat at a certain table in a restaurant because my friends or colleagues are sitting there, not because I find it great that beer is being served at that table. [...] Allah is omniscient and I very much believe in that, so I hope he will accept my choices.’⁹⁵

Homayra also holds on to the way she lives her life ‘here and now’. She does not care so much about religious rulings. ‘When I live a just life I trust that it will be okay in afterlife. One should not be hypocritical and it is not necessary to exaggerate. Ultimately, the point is that you have a good heart and are good to other people. Many people have the longest beard and the most perfect clothes [according to Islamic standards] but they are not nice to others. That cannot be right.’ In the next section I will analyse the relationship of my interviewees with their *marja’ al-taqlid*.

Practising taqlid

Taqlid and individual responsibility

In the previous chapter I discussed the viewpoint of the *maraji’ al-taqlid* about the meaning of *taqlid* for individual believers. It became clear that adhering to the edicts of the *marja’ al-taqlid* is said to guarantee a positive judgement at the Day of Judgement, but that *taqlid* is not a matter of blind imitation. Each believer has an individual responsibility and is accountable for his own deeds. Therefore, practicing believers are urged to make their own personal decisions and use the knowledge of their *marja’ al-taqlid* as a complement to their

95 See chapter 4 for the issue of alcohol in the everyday life of Shi’i youth.

personal religious knowledge. This ambiguity raises the question how Shi'i youngsters actually practice *taqlid*.

Hamid, who is considered the *fiqh* expert within the youth association AhlAlbaytYouth, said,

Once you entrust yourself to a specific *mujtahid* [...] you should as it were turn off your own intellect. It is therefore very important to make a deliberate choice. It is the start of everything, because when you make a wrong choice you will make a lot of mistakes by following the [wrong] *fatwas*. [...] Gradually, one learns the basic rulings of *fiqh*, and when you study and remember them you will know the answers for eighty or ninety percent, but for the exceptions you have to consult his [your *marja's*] books.

123

Hamid used the term 'entrusting yourself to a *marja'*', a choice of words that exactly defines his attitude towards the *marja' al-taqlid* and the practice of *taqlid*, depicting the scholar as the saviour and the lay believer as someone who needs to be saved. Strictly following the legal opinions of the *marja'* is for Hamid, a follower of Sistani, the only way to live the Shi'i religion in the correct way.

Many interviewees consider *taqlid* as a form of securing their afterlife. Reasoning that they themselves will never have enough knowledge to take decisions, these youths prefer the safety of *taqlid*. Although aware that their *marja' al-taqlid* might be wrong in his opinions, they rely on his bearing responsibility for his religious prescriptions. The fallibility of their religious leader, they reason, will not bring their own afterlife in danger because they feel sure that followers will not be punished for the errors made by their *marja' al-taqlid*.

Bayan, who was introduced earlier in this chapter, is a Sistani follower who holds the view that *taqlid* is a religious duty and a transfer of responsibility from believer to *mujtahid*. However, during our interview she showed herself a critical follower of her *marja' al-taqlid*. To begin with, she made a critical comment on the principle of *taqlid*. Bayan pointed out a downside of *taqlid* when reinterpretation and innovation in Shi'i *fiqh* are concerned. She reasoned that the responsibility experienced by a *mujtahid*, in her case Sistani, might well prevent him from taking any risk in giving his opinions, which consequently is a barrier for bringing some leniency in the regulations. 'He will always choose

for the most difficult way in order to cover himself, and only promulgate rulings of which he feels completely sure. You know, *mujtahids* bear enormous responsibilities. To me it seems an almost unbearable burden. [...] I often think, “We will see, later, on the Day of Judgement.” [...] And this is directly related to the responsibility of the *mujtahid*. [...] Whether his ruling is right or wrong will become clear on Judgement Day. Only then will it be revealed if he issued the right ruling or the wrong one, and he will be judged for that.’ Bayan expressed her relief that ‘all decisions are made for us,’ and that she is not responsible. ‘I would not be able to bear that burden.’

Others feel free and safe to use a personal way of reasoning, based on their own knowledge of the Shi’i sources. Only when their personal reasoning does not lead to a decision about which they feel confident, they turn to the *marja’ al-taqlid*. The Iraqi accountant Yasser for example stressed the importance of personal reasoning. He said, ‘If you do not know exactly what the Prophet and the Imams say about a particular situation, you start using your own brains to come to a decision on what is the best way to act.’ When I asked him if he trusts his own decision or prefers to check it with his *marja’ al-taqlid*, Yasser responded as follows,

This is nice in the Shi’i doctrine. When you are convinced about something, there is no use to ask the opinion of your *marja’*, but you should prove to God on the Day of Judgement that you did what was necessary to arrive at a balanced judgement. The door of *ijtihad* is open to everyone. It is not only the *marja’*. One should know the Qur’an and the *hadith*, and one should know the Imams. Having such knowledge makes you free to follow your own opinion that is based on knowledge and common sense.

He further responded to my question,

It is common to have doubts [about your decisions], and it is precisely because of those doubts that we choose a *marja’* as we are confident that he has the best intentions, and has studied in this field. [...] That man, that *marja’*, he is a specialist in that field, it is his specialty. Therefore we take him. When I am ill, I do not consult my *marja’*, I go to the doctor. If I want to know something specific about my religion, I go to the *marja’* and not to the doctor. It is his job.

By mentioning that ‘the door of *ijtihad* is open to everyone’, Yasser refers to the possibility for ordinary Shi’is to understand their religion and use their capacity to reason (*‘aql*). Yasser dares to trust his own knowledge and reasoning.

Some interlocutors were critical about *taqlid* and following a *marja’ al-taqlid*. They stressed the fallibility of the legal scholars, which is demonstrated in their view by the differences in the grand ayatollahs’ legal opinions. A *marja’ al-taqlid* is seen as, quoting one of them, ‘a man with his own viewpoints, his own judgement, and his own history.’ One of the interlocutors with this point of view is Homayra, whose mother is a follower of ayatollah Sistani. She herself reasoned,

125

When he [the *marja’ al-taqlid*] is a human being, like me, this means that he does not necessarily have a better understanding than I have. Later, when I stand before God on the Day of Judgement, I do not want to say, “I did so because Sistani told me to do so.” Sistani says this and Sistani says that, but I heard of many things that make me think, “This cannot be seriously true!” In my understanding some *fatwas* are not correct. So I do not have to choose between people of whom I am not sure which one is truly right. I can read and write and have common sense, why should I follow someone?

Homayra rejects the authority of *mujtahids* because of their human nature and their not being neutral in deriving legal opinions. Trusting her own understanding of the Qur’an and her own logic and intellect, she deliberately takes the risk of being accountable for her actions without being backed by an authority’s responsibility.

Selecting a *marja’ al-taqlid*

A natural question in the lives of Shi’i Muslims is how to identify the *mujtahid* one decides to follow. The rulings of the *maraji’ al-taqlid* show some differences on this point. Grand ayatollah Sistani writes in his *Code of Practice for Muslims in the West*, the English translation of *fiqh li-l-mughtaribin*.

One of the conditions to be met by a jurist (*mujtahid*) so that he can be followed is that he must be the most learned (*al-a’lam*) jurist of his time and the most capable in deriving the religious laws from the appropriate sources.

[...] In order to determine who is the most learned *mujtahid*, one must refer to the *ahl al-khibra* (those who are sufficiently knowledgeable in Islamic jurisprudence). It is not permissible in this matter to refer to a person who has no expertise in this subject.⁹⁶

126 Like Sistani, grand ayatollah Khamene'i insists that one should select the most learned legal scholar with the best capacity to derive legal opinions.⁹⁷ Both Sistani and Khamene'i furthermore argue that one must ask advice of knowledgeable people when selecting the *mujtahid*. For ayatollah Fadlallah, however, following the most learned *mujtahid* is not a condition. His *fatwa* says,

Question: Suppose there were many jurists around. Is it permissible to emulate any of them, or does it have to be the most learned one among them?

Answer: It is not obligatory to emulate the most knowledgeable one. It suffices to follow any one of them, provided that he is a practising *mujtahid*.⁹⁸

The only criterion Fadlallah insists on is that laypeople entrust their religious affairs to a real *mujtahid*. His perspective is understandable. As we have read in chapter 2, Fadlallah introduced himself as a *marja' al-taqlid* outside the institution of the *hawza*. Being recognised as the most knowledgeable *mujtahid* is traditionally reserved for legal scholars belonging to one of the two religious centres, the *hawza* of Najaf or the *hawza* of Qum. For ayatollah Fadlallah, attracting followers was only possible by establishing the terms for *taqlid* on his personal level, 'a practising *mujtahid*'.⁹⁹

96 See website of grand ayatollah Sistani, <http://www.sistani.org/english/book/46/2025/> (accessed 15 September 2015).

97 See website of grand ayatollah Khamene'i, www.leader.ir (accessed 17 April 2013). Because my interlocutors following Khamene'i consider him a *marja' al-taqlid* - often not aware of the controversy that I described in the previous chapter - I use the title grand ayatollah for Khamene'i.

98 See website of grand ayatollah Fadlallah, <http://english.bayyinat.org.lb/fatawa/ijtihad.htm> (latest access 1 October 2015).

99 In his analysis of rulings of three Iraqi *maraji' al-taqlid* regarding identification of a religious authority, Robert Gleave connects the content of the *fatwas* to the relative status of the *maraji' al-taqlid*, thereby confirming that *fatwas* undeniably have a political aspect (Gleave 2007, 64-70).

My research has shown that choosing a *marja' al-taqlid* correlates strongly with family, country of origin, and the different pathways to becoming a practising Shi'i Muslim that I described in the first section of this chapter. For the vast majority of those who from early childhood were raised as Shi'i Muslims, the choice for the *marja'* to follow was largely determined by 'whom the family follows.' Those of my interlocutors who grew up in practising religious families do not remember having gone through a process of research and making a deliberate choice. These youths follow as a matter of course the same *marja'* as their parents. Bayan, for example, explained that 'there is no barometer indicating their [the *maraji' al-taqlid*] level of knowledge. So parents transfer their choice to their children, arguing that, "We follow him because he is the most learned, so you follow him too, and if you make another choice later, it will be your own responsibility." The general feeling transferred by parents is, "We follow this *marja'.*" So usually a whole family follows the same *marja'.*' Other interviewees often made similar statements, such as, 'my family follows Sistani,' and more than once I have read suggestions on the Facebook group AhlAlbayt4Everyone to 'ask your father which *marja' al-taqlid* to follow.' Choosing a *marja' al-taqlid* for those who were raised in the Shi'i tradition is mostly a matter of family tradition.

The Iraqi Mujtaba (29), who had just graduated from university as an economist when we met, explained that for many Shi'is choosing a *marja' al-taqlid* is a matter of loyalty to one's particular faith community. He explained that Iraqi Shi'is, also those living in the Netherlands, imagine their community on the basis of religious, national and even urban identity. 'Most people do what others do,' he said, 'so they choose the ayatollah that is also chosen by others within their community [...] and they choose the scholar who is the most emulated in their home country. [...] When you opt for another [ayatollah], you will be looked at as an outsider. It is like wearing All Stars sport shoes while everyone else wears Nike shoes. Why would you make such a choice? It does not make sense. This is a very sensitive issue, so people will talk about you. [...] Then you are the black sheep, and people want to avoid that.' In line with Mujtaba's statement, Takim in his research on Shi'ism in America states that Iraqi people who came from the holy shrine cities in Iraq, like Najaf and Karbala, have a general deep sense of religious commitment which

differentiates them from Shi'i Muslims coming from other ethno-national backgrounds (Takim 2009, 26).

128

For those not 'inheriting' a *marja' al-taqlid* it is a common approach to simply choose the religious authority who is recognised as the most learned *mujtahid* in Najaf or Qum, the two main centres of Shi'i learning (Walbridge 2001, 241). In choosing Najaf or Qum, ethnic-national background is often decisive. One of my interviewees, Mustafa, a Turkish student of 18, feels committed to his Shi'i faith and spends much time on acquiring religious knowledge. He uses his summer holidays in Turkey to get all his questions answered by the *shaykh* of the local mosque. At the time of our interview, Mustafa was planning to consult a *mujtahid* in the mosque in Turkey during summer holidays to ask advice on which ayatollah to choose. 'We Turks are not as bound to a *marja'* as Iraqis. We listen more to the *shaykh* in our mosque. He studied in Qum. When I am in Turkey I ask him about everything. You know, I am the first generation having Internet *marja'*s, so I still have to see how this works for me.' At the end of the summer, a few months after our conversation, Mustafa sent me an e-mail telling me that he definitely chose to be a follower of *sayyid* Khamene'i, basing himself on the advice of a *mujtahid* in Turkey who studied at the *hawza* of Qum.

Young Shi'i Muslims who in a later stage of life start their quest for Shi'i knowledge learn only then about the idea of following a religious authority and living according to his verdicts. Usually these youths welcome the idea of having such a knowledgeable person to turn to. They make a conscious choice which *marja'* to follow, not only considering *taqlid* a religious duty but also recognising it as a possibility to get guidance in coping with their particular questions about Shi'i faith and about its practices in daily life in the Netherlands.

Fatima, we already met her in a previous paragraph, grew up as a practising Muslim in Iraq. Only after her arrival in the Netherlands did she start to acquire knowledge about Shi'i belief and practice. She then found out about the existence of *mujtahids* and the duty of *taqlid*. Fatima started to read books of different ayatollahs, among them ayatollah Fadlallah. She selected him because of 'his approach of *al-shabab*, young people.' Fatima started writing letters to ayatollah Fadlallah when she was 16 years old, asking questions concerning 'the way of wearing the veil in Europe, listening to music, and all kind of things I was confronted with here.' After a few weeks she received Fadlallah's reply by

letter, accompanied with his book *dunya al-mar'a* (world of women). Once having read Fadlallah's books *dunya al-mar'a* and *dunya al-shabab* (world of youth) she felt comfortable with his approach of *ijtihad*, which fit with her feelings as a teenager. In her view ayatollah Fadlallah made faith comprehensible for young people. 'Especially when I was a teenager I could understand his way of reasoning, his explanations, and I could immediately use this in my daily life. [...] Unlike other ayatollahs, who only say that something is permitted or not if you ask them a question, Fadlallah gives a detailed explanation why something is permitted or not. And he is very spiritual. So I decided to consult him in case of questions.'

For Fatima, ayatollah Fadlallah was someone who helped her to understand her religion and to act in accordance with religious principles in Dutch society, for Fadlallah describes his considerations and is clear on which Qur'anic verses and *hadith* he bases his *fatwas* on. Most importantly, Fadlallah showed interest in her problems as a young Muslim woman who had to find her way in an environment that she experienced as hostile.

Kamran, a university student of Afghan origin of whom we already know that he rediscovered his Shi'i heritage, also took his own needs as a starting point in the process of selecting a *marja'*. His choice for following Fadlallah reflected his own dissatisfaction with society. 'I liked very much that *sayyid* Fadlallah felt connected with society, with politics. He was active in politics and for him a religious institution was not a neutral system that should remain dissociated from society, like it used to be in history [at the *hawzas* of Najaf and Qum]. He based his judgements and his activism on contemporary society.'

Kamran is not specifically interested in Fadlallah's rulings with regard to prayer and other Islamic worship practices, seeing those rulings as similar to those of other *maraji' al-taqlid*. 'I was attracted by his active stance, his sensitivity to the needs of Muslims in general. For example, he tried to reduce the gap between Sunni and Shi'i Muslims. [...] In my view ayatollah Fadlallah is the most progressive *marja'* of the last two centuries.' Kamran explained that Fadlallah's English website, his office, and the use and application of multimedia show passion, devotion and an awareness of the modern world. 'He is very progressive. What irritates me in other *mujtahids* is their sticking to old doctrines [...], instead of trying to understand the contemporary world.'

For me that was the reason to choose Fadlallah.’ Followers of ayatollah Fadlallah principally praised his ‘modern worldview’ and mentioned his ‘women-friendly’ approach in *fiqh*. Most of them – apart from my interviewees I met a number of followers of Fadlallah during youth gatherings - were able to make comparisons between *fatwas* of Fadlallah and other *maraji’ al-taqlid* to reinforce their argument.

When I asked my interlocutors who turned out to be followers of grand ayatollah Fadlallah how they practice *taqlid* after his death in 2010, I learned that all of them decided for the time being or forever - ‘since I cannot imagine that there will ever be a more modern thinker’ - to remain in *taqlid* of ayatollah Fadlallah, mentioning that his office is still very active and that his website is very up-to-date.

Table 2. Shi’i interlocutors’ choices of *marja’ al-taqlid* ¹⁰⁰

	ayatollah Sistani	ayatollah Khamene’i	ayatollah Fadlallah	other ayatollah	no <i>taqlid</i>
Iraq	9		2	1 (Ha’eri)	4
Afghanistan	5		1		1
Pakistan	1				
Iran	1			1 (Saane’i)	
Turkey	1				
Morocco	2				
Surinam	1				
Netherlands	3		1		
	35	23	4	2	5

Other interviewees who rediscovered their Shi’i heritage oppose the religious obligation of *taqlid*. One of them is the Iraqi university student Jawad, 22, who took a very skeptical stance towards following a *mujtahid*. ‘Recently I discovered Sistani’s website, but after having read a few *fatwas* I thought, no, this will not be of help. Those rules are incompatible with life over here.’ Jawad referred to

¹⁰⁰ For comparison, in a survey on the Shi’i Facebook group AhlAlbait4Everyone 62% reported being a follower of grand ayatollah Sistani, 11% followed ayatollah Khamene’i, 6% followed grand ayatollah Fadlallah, and 4% was a follower of another ayatollah. 17% of the participants mentioned that they did not follow any ayatollah (Buitelaar, Vrijhoef 2013).

his 'Dutch critical education.' He, like others taking this stance, refuses to accept the authority of a *mujtahid* who is not acquainted with Dutch society and rather relies on his own understanding of the Qur'an.

For Dutch converts, the choice of a *marja' al-taqlid* was usually influenced by their Shi'i social circle. The medical doctor Mona, 26, choose grand ayatollah Sistani because her Shi'i in-laws follow him and because he has a good website in English. She stated that 'it is of course desirable to say that one chooses the most learned *mujtahid*,' but for her it sufficed to feel quite sure that her *marja'* is a learned person with some understanding of the lives of Muslims in the West. 'Some ayatollahs make statements about the West showing such a high degree of ignorance that I cannot take them seriously.'

131

Enfal, the Dutch psychiatrist, showed a mild skepticism towards the institution of the *marja' al-taqlid* and the eminence of ayatollah Sistani. When I asked her if she follows a *marja' al-taqlid* she responded, 'Yes, it is a duty right? I follow Sistani.' She did not do any thorough research herself, but instead relied on her Shi'i circle of acquaintances who stated that Sistani was really the most learned contemporary scholar. 'So'. My question what her *marja'* means to her was answered with a great silence and questioning eyes.

Sarah, a Dutch converted woman of 22 who combines a job as a social worker with a university study, noted that born Muslims feel something resembling a personal bond with their *marja'*. Converts do not share such feelings, she stated. 'Of course I respect this man, he is a good scholar, [...] but for me his books are lawbooks and I do respect him as the author of those lawbooks. That is it.' Nevertheless, having someone to turn to with questions feels like a 'safety-net' for converted Shi'is, certainly in the first years after their conversion. This feeling gradually decreases, as I will describe in the next paragraph.

Consulting the knowledgeable

What does 'following a *marja' al-taqlid*' mean for young lay practitioners? Do young Shi'is actively consult their *marja'*? If so, what kind of questions do they submit? If not, whom do they consult instead? In case of consulting their *marja'* and his *fatwas*, which means do they use? These questions will be addressed in this and the following paragraph.

The interviews showed that those interlocutors whose parents have a broad

knowledge of religion and Islamic law very much trust the knowledge of their parents. Amina, for example, whom I introduced earlier in this chapter, is a follower of ayatollah Sistani, like her whole family. She is used to consulting her father. 'I only have questions that need a quick response, for example when I end up in a certain situation.' Her father reads a lot of religious books and he knows many things by heart, so when she asks him she gets an immediate reply. In case of doubt her father calls her uncle, a religious scholar in Qum, who reveals 'the correct answer'. 'This procedure takes a maximum of five minutes. If I would do research on the Internet myself I would not find a reliable answer within four weeks!'

Amina, whose questions are mostly about food and drinks being *halal* or not, once searched the Internet, trying to find an answer about the use of gelatin in food products. She started searching Sistani's website in English, which did not fully clarify her question. She then continued her search on Internet forums and discovered that the debates on these forums contain contradictory arguments, even though they are all based on citations from the Shi'i sources. These debates did not take away her uncertainties, on the contrary. Searching the Internet forums made Amina more confused than before about what to do. She then decided to turn to her father again. 'I can take his answer for the truth. He was able to explain his way of reasoning regarding the subject in no time.' Amina continued her explanation about practising *taqlid* by giving a recent example of an 'urgent question'. 'This was a funny one. Yesterday a friend of mine sent me an SMS-message with a religious question. She knows that I do not know anything about it [in Dutch she said 'ik heb er geen kaas van gegeten'], but she asked me, 'Amina, please help me, I saw a nice bag of crocodile leather, is this *haram* or not?' She needed a quick answer, because she was in the shop and only one of those bags was left in the sales. Of course I did not know the answer, but she relied on my father's knowledge, and indeed, he told me that this leather is *haram* because you cannot eat this animal.¹⁰¹ Then I remembered this rule again, but such things are not daily business so I forget them. Questions are often about such small details.'

¹⁰¹ The explanation of Amina's father, however, does not correspond to the ruling of grand ayatollah Sistani, whose *fatwa* says that 'Leather products made in non-Muslim countries from hides of snakes and crocodiles and displayed in non-Muslims markets are considered pure (*tahir*); and it is permissible to buy, sell, and use them in things that require purity'. See website of grand ayatollah Sistani, <http://www.sistani.org/index.php?p=251364&id=46&pid=2047> (accessed 20 June 2013).

Many of my interviewees practice *taqlid* like Amina. For incidental questions they rely on the religious knowledge within their family or their social circle, saving themselves time-consuming searches on the Internet, which do not always give them a clear answer. Parents, in their turn, make use of personal contacts with knowledgeable persons within their own social circle, in the Netherlands but more often in their countries of origin. Having parents 'at hand' who give 'unambiguous and truthful' answers makes searching the Internet site of one's *marja' al-taqlid* unnecessary, my interviewees say. However, when it comes to moral questions, the knowledge of parents is not always sufficient, Bayan pointed out. She said,

Parents are much less critical than we [youths] are. They just copy the practices of their own country and apply them over here in the same way. They are experienced in practices regarding prayer and fasting. But we should find our way and do research and try to combine those practices with a society that is different from what we learn [from our parents]. [...] For my parents it is much easier. They do not have a job, so they never encounter obstacles [...]. They can just continue our religious practices.

With these words Bayan illustrated that only those who fully participate in Dutch society by doing a study and fulfilling a job encounter difficulties that place them in dilemmas. Bayan noticed that her parents often do not understand her difficulties and she concluded that a *mujtahid* living in an Islamic country is not even able to imagine her problems.

As a follower of ayatollah Sistani, Bayan knows his *Code of Practice for Muslims in the West*. 'I had his book and I quickly read it and knew pretty much its content when I gave it to someone as a gift because she could use it.' Sistani's *fatwas* for Muslims in the West do not give her guidance in the questions she has to deal with, because she misses the connection with western circumstances. She felt lucky having a woman in her social circle who had studied at the *hawza* and who was willing to help her finding answers to religious or practical questions while taking the circumstances in the Netherlands into account. 'That was nice, because again and again she guided me in finding solutions.' At the time of our conversation Bayan mentioned struggling sometimes with religious issues, but she never consulted her *marja' al-taqlid*.

In Bayan I saw a young Shi'i woman who is desperate when it comes to choosing between practising *taqlid* or relying on her own reasoning. As we have read earlier in this chapter, she greatly respects the *mujtahids* who take responsibility for the deeds of their followers. She regards them as scholars who take decisions for her about her actions. On the other hand, she experiences that these prescriptions do not fully take into account her living conditions in the Netherlands. Although Bayan did not say it in so many words, in solving the specific moral dilemmas that relate to the Dutch context she experiences no guidance of her *marja' al-taqlid*.

Consulting the office of the marja' al-taqlid

For those of my interviewees who later in life started searching for information about correct Shi'i belief and practice and who did not have people around to answer their questions immediately, the books and websites of their *marja' al-taqlid* proved an indispensable source of information about correct practice. These youngsters initially studied the website of their ayatollah in detail. In the first phase of their quest, they sometimes consulted the ayatollah's office to get more certainty about their understanding of rulings. Fatima told me that in the first years of practising *taqlid* she often consulted Fadlallah's office by e-mail, 'about prayer, about fasting, well, in fact about everything I wanted to know more about. Usually I got a reply mail within two weeks.' After some time these youngsters felt pretty sure about their way of performing the religious duties and of representing Shi'ism in Dutch society. Afterwards, they occasionally consulted the question & answer section of their ayatollah's website 'just to be sure.' This group of young Shi'is initially communicated with their ayatollah's offices quite frequently for some time because they had no one around who could provide an answer to their questions. Not having practising family members to turn to, the *marja' al-taqlid* and his office functioned mostly as an information desk and a security check.

Dutch converts show many similarities with the group that started to explore Shi'i belief and practice in a later stage of life with regard to the consultation of the *marja' al-taqlid*. Converts frequently studied the website of the *marja' al-taqlid* in the process towards conversion and in the period immediately following their conversion. Not being socialised in the tradition and being in

the first years of the conversion process, converts used to consult the office of the *marja'* for every small detail regarding proper religious practice and proper conduct. However, they were often disappointed with the answers. Sarah, for example, converted four years ago, and in the beginning she visited the site of her *marja' al-taqlid* ayatollah Sistani every day. She read all of Sistani's books. 'Initially I very often sent an e-mail to his institute in London through najaf.org, but after having received a few strange answers, or replies stating that they did not understand my question, I stopped mailing. It is better to mail to sistani.org, but they usually reply in Arabic or Farsi.' The accounts of other converts following ayatollah Sistani are of the same kind. They consulted the office of their *marja'* but after having received unusable or unclear answers, or answers in Arabic or Farsi, they were disappointed in Sistani's offices. Sarah developed a personal strategy. She examines the books of Sistani – 'Sistani's manual *A Code of Practice for Muslims in the West* is by far the easiest book for me,' she said - for something equivalent of which she thinks that it can be interpreted in the same way. This procedure however does not always provide a solution, she said,

135

When I really do not find something similar that I can interpret myself I send an e-mail to the offices of both ayatollah Sistani and ayatollah Khamene'i, especially if I need a quick answer. Officially I do not follow ayatollah Khamene'i, but his institute gives clearer answers, they try to understand the situation. [...] The religious opinions of Sistani and Khamene'i are pretty much the same [...] so mostly I do not care about getting an opinion from either one or the other.

A similar procedure is followed by more converts, regardless of which *marja'* they follow. Although being a follower of ayatollah Fadlallah, Mehdi told me that 'actually what I always do is, well, I send my question to the offices of Sistani, Khamene'i and Fadlallah. I follow the first answer I get until there is a different answer, but this actually never happened. Even in case of very personal questions they always gave the same answers so far, at least, to the same effect. I find it very bad that Sistani's office sometimes does not respond while some questions are very urgent. The offices of Khamene'i and Fadlallah are both very quick repliers.' So in case of questions, Dutch convert Shi'is consult not only

the office of their own *marja' al-taqlid* but also of other scholars in order to get a quick reply and to get an 'overall opinion' that provides them with maximum certainty about how to act.

136

Formulating a good question involves a precise description of all circumstances and issues that might be influential (Masud, Messick & Powers 1996, 22). A consequence of this is that one can easily manipulate the answer by the wording of the question and by omitting specific circumstances. Hamid gave me the following example. 'If I ask whether it is permitted for me to drink a liter of water, the *mujtahid* will say that it is permitted. But when I have the intention to drink that water while there is a shortage of water and nothing will be left for others, he will say no. So you see, if you do not specify the circumstances, you will get a wrong answer.' Hamid sometimes consults the office of his *marja'* Sistani or, when he needs a quick answer, he contacts a family member in Iraq who has access to a *wakil* of Sistani in Iraq. One may also consult the *wakil* in London, or somewhere else, Hamid said, 'But in all cases you will get a different answer, because no one is infallible, except for the Prophet and God, so one should always remain critical.' Because Hamid seeks for certainty he follows two lines. 'I ask it and I search in the books. If the answers match, I feel secure.'

The aspect of language is a complicating factor in consulting the office of the *marja' al-taqlid*. The majority of the youngsters have Dutch as their first language for reading and writing. Formulating a question in English is difficult, said Abbas, who mentioned that one should not only be precise but also concise in writing a question. 'Three times I sent a question, two times I received an answer, one of najaf.org and one of sistani.org. I realised afterwards that my third question was badly formulated.' Language is not only a complicating factor for those who communicate with their ayatollah's office in English. Even those who have command of the Arabic language or who consider Arabic their mother tongue experience difficulties in communicating in Arabic with their ayatollah's office, Fouzia and Arezu told me. The Iraqi student Fouzia, 24, said that she prefers face-to-face contact with a knowledgeable person, because '[Sistani's office] is very busy and it may take up to two weeks before you get an answer. Sometimes one cannot wait that long. And sometimes he uses terms in his answers that I do not know. One needs more knowledge of Arabic in order to understand his answer. For that reason I prefer personal contact with the *wakil* (representative of grand ayatollah) because if I do not understand him I

can immediately tell him, or check if I understood him well.'

Arezu for the same reason prefers communicating by telephone instead of the Internet. A few times she contacted her *marja' al-taqlid*, ayatollah Ha'eri, by telephone and spoke with him personally 'about very personal questions that would normally make me feel embarrassed, but with him I do not have that feeling. I asked him for example about the religious duties of a woman during menstruation. Women do not pray during those days, but when should we start performing prayers again afterwards? [...] I talk with him like I have known him for years. He is very patient and respectful with me. [...] Everyone uses his own dialect. He uses other words, more official words, and he is highly educated, also in Arabic. As he uses Arabic on a high level and I speak Arabic on a much lower level, I want to be sure if he clearly understands what I mean to ask. So I usually ask an additional question, just to check. But for common information I search his Internet site [which is only available in Arabic].'

Khums, the material part of loyalty

The payment of *khums* is the financial link between ayatollah and follower. Paying *khums* has in the course of time become part of the religious duties of a *Shi'i muqallid* (follower) to a *mujtahid* (see chapter 2). In this section I will elaborate on how the duty of paying *khums* is practised by young Shi'is in the Netherlands. *Khums* literally means one-fifth, a term that refers to the obligation to pay twenty percent of one's property to the *marja' al-taqlid* annually. According to Shi'i religious regulation one is only allowed to spend one's money when it is made *halal*, which means once *khums* has been paid over it. The calculation of *khums* is a personal responsibility. Whatever remains of one's earnings, income and possessions after deduction of the annual household expensons, as well as the value of the acquired possessions in a year, should be counted as savings that are liable for *khums*. Once a person has paid *khums* for possessions and savings, this property is said to be *mukhammis* forever, which means that they are *halal* and need not to be counted again in following years. It is up to the believer to determine the accounting date and to make the calculation.¹⁰²

¹⁰² One the Internet one can find online *khums* calculators. See for example <http://www.zahratrust.com/khums-calculator/> (accessed 20 January 2016).

Some of my interlocutors criticised the system of *khums*. They praised the idea of giving money to the poor, which is one of the main purposes for which *khums* money is used, but they questioned the system. These interlocutors compared the Islamic system of welfare with western welfare policy. Qasem, a university student of 22 from Iraqi background, stated,

It is well known in the Shi'i world that one encounters real Islam in Europe. That means, not in an eastern country, like Iraq or so, no, in the Netherlands one encounters real Islam. [...] Look at the social care system, the tax system, honesty among people and politicians. Here, in a western country, a human being counts. Over there, many people are neglected, unfortunately. It is a fact. Here all rules of Islam are realised.

At the time of my interview with Rafi, he was considering to submit a question to his *marja' al-taqlid* about his deliberations concerning *khums*. Having worked as a dentist for some years, Rafi started to earn a good salary. Consequently he also started to pay tax in the Netherlands. He described his deliberations as follows,

In the Netherlands I pay fifty-two percent tax. Should I still give extra for Islam or not? [...] I do not pay *khums* right now. The only thing I do is helping poor people in Afghanistan by paying *zakat*. I pay tax in the Netherlands. I belong to the Netherlands, so I should follow Dutch law. This is what Islamic law says, "Follow the law of the country where you are living." And then I think, well, I have a good life in this country, so it is reasonable that I give money for the poor. [...] By paying more than fifty percent tax I contribute enough, and this money is intended for the community and for the poor. Exactly what Islam means with the system of *khums* and *zakat*.

According to Rafi's reasoning, he contributes to society by paying tax to the Dutch administration, knowing that this money is spent on the Dutch community, including poor and needy Muslims. Rafi's starting point is the Islamic principle of sharing wealth. According to him it does not make sense to distinguish between Muslims and non-Muslims. He also refuses to take into account the importance of *khums* income for the reputation and functioning of a *marja' al-taqlid*.

Mehdi, a Dutch convert to Shi'ism, was especially critical about the use of *khums* money by religious authorities. During his visit to Najaf he saw young girls on the streets begging for money. People in the streets of Najaf told him that Sistani, 'although having millions of *khums* dollars in his basement,' does not spend this money for the intended purpose. Mehdi said, 'It [the money] was raised among his followers for doing good deeds, like distributing it among the poor and providing a social foundation in society.' Mehdi added to this argument that the system has another weak link, namely the representatives who collect the *khums* money. He observed that some of these *wukala'* (pl. of *wakil*, representative) in the Netherlands live a quite luxurious life which, he noted, 'at least raises questions' Mehdi was not the only one questioning the reliability of the grand ayatollah's representatives when it comes to the collection and spending of *khums* contributions. According to Kamran, the *khums* system has become corrupted over time. He also reported that he distrusts the representatives of the grand ayatollahs in the Netherlands. 'Would you give your money to a *shaykh* you find corrupt? No. [...] In any case, I do not pay *khums*.'

The men quoted above spoke frankly about their objections to the *khums* system. However, most of my interlocutors, insofar as they have assets or income, consider paying *khums* a religious duty and show no evidence of critical reflection on the *khums* system, maybe thus avoiding possible critical thoughts about their *marja' al-taqlid*.

Conclusion

My aim in this chapter was to analyse the relationship between young Shi'is in the Netherlands and their *marja' al-taqlid*. I proposed to do so by analysing a process similar to objectification as presented by Eickelman and Piscatori (1996, 39-40) that is the result of the recent migration of Shi'i Muslims to the Netherlands.

In the first part of the chapter, I demonstrated that being in a minority position in the Netherlands raised questions among my interviewees about their religion and the specific Shi'i tenets and practices. My interlocutors, all committed Shi'i Muslims, reported that living among non-Muslims and

Sunni Muslims encouraged them to reflect on their religion and gain knowledge about the meaning of the practices. Essential knowledge for obtaining an understanding of Shi'i faith, according to my interlocutors, comprises knowledge of the religious sources, of the principles of Shi'ism and of their role models, *ahl al-bayt*.

I found two different paths of knowledge acquisition: getting religious knowledge through transfer by parents on the one hand, and acquiring religious knowledge through one's own search on the other. A significant part of my interviewees received a profound religious education from their parents. Reading the Qur'an and the *hadith* in a family context, discussing the meaning of these religious texts in their everyday life, and getting knowledge conveyed about Islamic law was part of their education. For these children, being taught the correct way to perform prayer was often the start of their religious practice.

141

For Shi'i youngsters who were born as Shi'i Muslims and who gathered knowledge themselves, being taught how to perform *salat* was more or less the start and the end of their religious education. A part of them grew up in the Netherlands from an early age and have parents that lack religious knowledge. Another part is formed by those who arrived in the Netherlands as teenagers and who only started to reflect on their religious practices once they were in the Netherlands. Their quest for religious knowledge began once they started reflecting on their religious beliefs and practices and wanted to know more about the specific Shi'i aspects.

A third group of young Shi'is, Dutch converts, started by acquiring knowledge about Shi'ism from the moment they got interested in Islam and began to consider a conversion. They found answers to their existential and religious questions in Shi'i Islam, and they all mentioned the logic of Shi'ism. For these entrants to the Shi'i tradition, the performance of Islamic practices and the following of religious regulation serve as guidelines for living according to Islamic values.

In the second part of the chapter I explored how Shi'i youngsters apply religious knowledge in everyday life. I learned that a good Muslim in their eyes is not a person who meticulously performs all worship practices but a person who acts just. 'Islam is moral behaviour,' are the words of one of them. Several of my interlocutors stressed that making conscious choices with good intentions was even more important than the act itself. According to my

interviewees a Muslim's responsibilities in the social field are of the highest importance. *Ahl al-bayt* are important role models and moral guides. Religious rulings about social interaction and worldly affairs (*mu'amalat*) are considered guidelines for moral behaviour, tools rather than limitations, with the possibility for flexible application.

142

My interviewees have in the back of their minds the Day of Judgement, when they will be held accountable for their actions. For some, this awareness plays a role in their decision making in everyday life. Many of them live by the idea of having an 'afterlife-account' that will be calculated on the Day of Judgement. In this account someone's actions and deeds are kept according to the classification of one's *marja' al-taqlid*. This idea makes that some, in my research only Iraqis, are strict in following religious regulation to the letter.

The pathway of knowledge acquisition of my interlocutors proved decisive for their practice of *taqlid*. For those of my interlocutors who got a profound religious education from their parents, the selection of a *marja' al-taqlid* was not a deliberate act. Instead, their 'choice' which *marja'* to follow was predestined by the family and the faith community. As a consequence, also consulting the *fatwas* of a *marja' al-taqlid* is a family matter. The majority of my interlocutors who practise *taqlid* 'by inheritance' never consulted the website or a book of their *marja' al-taqlid*. They have the answers to their question immediately at hand by consulting parents or relatives, either living in the West or in their country of origin. It is questionable whether these knowledgeable persons take into consideration western living conditions and the *fatwas* for Muslims living in the West issued by the grand ayatollah.

Those who deliberately opted for a specific *marja' al-taqlid* as a result and as part of their quest for knowledge consult the publications and website of this religious authority on a regular basis. For them, their *marja' al-taqlid* is a source of religious guidance. Usually, followers find an answer to their questions on the website of their *marja' al-taqlid*. Yet, in case of questions to the office of the *marja' al-taqlid*, inertia, lack of clarity concerning specific Dutch circumstances and inaccuracy due to translation processes may be obstacles for adequate religious guidance. For some of my interlocutors, Dutch converts, this inadequacy is reason to consult the office of several *maraji' al-taqlid*. They start acting according to the first opinion they receive, indifferent as to which *marja'* issued the opinion. Only when the opinion of their own *marja' al-taqlid*

differs from the one they received first they adapt their way of acting to their own *marja'*.

In view of the above I would say that *taqlid* as religious guidance does not meet the needs of Shi'i youth in the Netherlands, as there is a lack of contextualisation of the religious regulation, especially in the case of moral issues in the area of social interaction. The *fiqh* manuals for Muslims in the West fail to address such moral dilemmas. In the next chapter, some of these dilemmas will be discussed in more detail.

4

Everyday Dutch Muslim life: practice and representation

What to do if colleagues invite you to join them for a Friday afternoon drink to celebrate the start of the weekend? What to do if your exam is planned at the time of noon prayer? How to react to the outstretched hand at a job interview? In daily life, Muslims frequently face questions of this nature, which require them to choose between correct Muslim practice and Dutch customs and lifestyles. This chapter is about living Islam in a society that is dominated by secular rationality. Its focus is on observing religious regulations in worship practices and social relations. I attempt to answer the question what the Shi'i practice of *taqlid* - discussed in the previous chapter - means and involves in everyday Dutch life of Shi'i youth.

Mahmood, in her work on Egyptian women belonging to a piety movement that challenges secular-liberal norms, designates the desire for virtue as the dominant motivator in all situations in everyday life (Mahmood 2005). Schielke criticises Mahmood for her privileging of piety in analysing a Muslim's motivations, desires and practices, because 'there is a risk – especially when morality and piety come together – of favouring the complete, the consistent and the perfect in a way that does not do justice to the complex and often contradictory nature of everyday experience' (Schielke 2009b, S26).

The western context adds an extra layer of complexity. In European liberal societies, religious practice is generally associated with the private sphere, with rather limited visibility in the public domain. Where general religious practices in public space can make people feel uncomfortable, Islamic practices in public space may evoke rather hostile reactions. In the aftermath of 9/11 in the US and subsequent events on European territory, Islamic practices are often considered as a sign of lack of integration or of holding radical views (Bowen 2004, Fadil 2009, Fadil 2013, Henkel 2005, Jouili 2007, Jouili 2009, Van der Veer 2006). These circumstances make it difficult for religious practitioners to be the pious Muslims they aspire to be. My interviewees are pious Muslims whose actions and behaviour are based on specific values and on religious prescriptions of the most knowledgeable within the Shi'i tradition, the *maraji' al-taqlid*. These religious authorities are concerned about Muslims in the West neglecting their worship duties and religious practices. They worry that their followers may feel pressure to adapt to the western life style due to being in a minority position. A central concern of the codes of conduct for Muslims in the West is therefore maintaining religious worship and identity practices. For the sake of the

Muslim community, Muslims living in the West also have the religious obligation to represent Islam in a positive way (see chapter 2), an obligation Jouili refers to as ‘representative’ *da‘wa* (2007).

The obligations of correct religious practice and positively representing Islam seem irreconcilable. This, however, has created space for my interlocutors to make moral choices, which involve negotiation and reinterpretation of the regulations with respect to the Dutch context. Making individual judgements and taking personal responsibility is part of the Shi‘i tradition (see chapter 3). In these processes of reflection, I always found an awareness among my interviewees of being personally accountable for the choices made, especially when these choices differ from the verdicts of their *marja‘ al-taqlid*. My interlocutors kept in mind the moment when they would have to justify their choices towards God, the ultimate judge.

In this chapter, which consists of three parts, I will provide an insight into how my interviewees cope with conflicting situations when it comes to observing religious precepts and representing Islam in Dutch society. The first part focuses on the Islamic duty of daily prayers. In the second part I discuss Islamic conduct in relation to topics that my interlocutors identified as problematic issues when it comes to correct religious practice in everyday Dutch life: music, alcohol and handshaking. The final part is devoted to the month of *Ramadan*, the month of fasting.

Prayer

Prayer prescriptions

In Islam, prayer (in Arabic *salat*, in Persian *namaz*) is regarded the most important act of worship, also called ‘the pillar of religion’.¹⁰³ Islamic prayers have a formal structure regarding form and time. In the Islamic manuals of the *maraji‘ al-taqlid* a significant part of the rulings concern instruction on prayer and ritual purity, the latter being a condition for prayer to be valid. With regard to their performance, prayers are composed of a series of specific movements in a precise order that include standing, bowing, rising, sitting and

¹⁰³ See for example the website of grand ayatollah Fadlallah, <http://english.bayyinat.org/Fatawa/s2.htm> (accessed 24 January 2014).

prostrating, accompanied by recitations of specific verses of the Qur'an. One such series of movements and recitations is called *rak'a* (pl. *raka'at*). Dawn prayer consists of two *raka'at*, sunset prayer prescribes three *raka'at*, Midday, afternoon and night prayers are four *raka'at* each.

There are five obligatory daily prayers, for which fixed times apply: *fajr* (dawn), *zuhr* (noon), *asr* (afternoon), *maghrib* (sunset) and *isha'* (night). The *maraji' al-taqlid* with a large following outside the Muslim world provide prayer times for those living in western countries.¹⁰⁴ The exact prayer times for cities in the Netherlands are also distributed by mosques, Islamic institutions, and through the social media.¹⁰⁵ For some years, apps for mobile phones have been available that give a signal when prayer time starts for the current location.¹⁰⁶

Shi'i *fiqh* allows combining obligatory prayers without any particular reason.¹⁰⁷ This permissibility of combining prayers implies that practitioners may choose to perform their five daily prayers at three moments: in the early morning at a fixed time, and in the afternoon and the evening within a certain time slot.¹⁰⁸ Apart from combining prayers, delayed performance of missed prayers, called *qada*, is permissible. For a practitioner who missed prayers during the day it is allowed to make up for those prayers later on the day, or even on a later day, provided one has an acceptable excuse for having missed the obligatory prayers. What exactly counts as an acceptable excuse is left to one's own judgement.¹⁰⁹ It goes without saying that the legal possibility of combining prayers provides Shi'i Muslims living in non-Muslim countries with a certain degree of flexibility in organising their daily lives. Another flexibility enhancing capability is the making up for prayers at a later moment. Religious

¹⁰⁴ Grand ayatollah Sistani gives prayer times for a number of cities in the United Kingdom through his website of the Imam Ali Foundation in London, see <http://www.najaf.org/?lang=english> (accessed 24 June 2013). The website of grand ayatollah Fadlallah provides a possibility to request correct prayer times for numerous cities worldwide, among them twenty cities in the Netherlands, see www.baynat.org (accessed 24 June 2013).

¹⁰⁵ See for example the Facebook groups Sadeqiya and Alcauther voor Jongeren, respectively <https://www.facebook.com/culturele.stichting.sadeqiya?fref=ts> and <https://www.facebook.com/alcauther.jongeren> (accessed 9 July 2013).

¹⁰⁶ I learned that many Shi'is use the apps alQibla and Muslim Pro.

¹⁰⁷ To my knowledge, some Sunni schools of law allow the combining of prayers, but only in case of emergencies.

¹⁰⁸ See websites of grand ayatollahs Sistani, <http://sistani.org/index.php?p=616687&id=1150>, and Fadlallah, <http://english.baynat.org/lb/fatawa/s2ch1.htm> (accessed 22 July 2013).

¹⁰⁹ See websites of grand ayatollahs Sistani, <http://www.sistani.org/english/qa/01289/>, <http://www.sistani.org/english/book/49/2407/>, and http://www.najaf.org/?lang=english&tab=eng_link&cat=learn&id=L_qadha, and Fadlallah, <http://english.baynat.org/Fatawa/s2ch5.htm> (accessed 22 January 2014).

prescriptions that specifically relate to prayer practices in western countries, as in Sistani's *Code of Practice for Muslims in the West*, pay special attention to determining prayer times in northern countries where the sun does not set or rise for some time every year.

Ritual purity is a prerequisite for the performance of prayer and a condition for its validity. For that reason, legal rulings with regard to ritual ablution (*wudu*) are very detailed. These rulings exactly prescribe how to wash parts of the body with water and in which order. Furthermore they describe in detail the types of impurities that need purification in order for the prayer to be valid.¹¹⁰ Apart from cleaning the body, purity rulings also apply to the place of prayer and the clothes in which one prays. The space of prayer and the clothes one wears need to be clean and ritually pure. Men are required to cover their private parts and women need to cover the whole body including the hair. On their websites, the *maraji' al-taqlid* give detailed rulings about the effect of using make up, nail polish, tattoos, facial creams and the like on one's state of purity. The answers of the ayatollahs are not unanimous though. According to grand ayatollah Sistani, for example, nail polish invalidates ritual ablution and should be removed before ablution, whereas grand ayatollah Fadlallah does not regard nail polish a barrier for ritual purity, although he recommends removing it.¹¹¹

Traditionally *ahl al-kitab* (People of the Book, i.e. Christians, Jews and Zoroastrians) as well as non-believers were considered impure, which meant that any direct or indirect physical contact with a non-Muslim caused ritual impurity of a Muslim. However, this view shifted during the 20th century. Contemporary religious scholars, certainly those with a large number of followers in the West, consider non-Muslims as pure (Darwish 2009, 165-197).¹¹² This recent shift in opinion is a prerequisite for Muslim co-existence with non-Muslims. Indeed, otherwise purity issues would affect daily life in

110 Large parts of the Islamic manuals of the ayatollahs Sistani, Khamene'i, and Fadlallah are devoted to the performance of ritual ablution and prayer, as is demonstrated on their websites. See www.sistani.org, www.leader.ir, and www.bayyinat.org.

111 See websites of grand ayatollah Sistani, www.sistani.org, and grand ayatollah Fadlallah, www.bayyinat.org (accessed 24 June 2013).

112 See websites of grand ayatollahs Sistani, <http://www.sistani.org/english/qa/01281/>, and Khamene'i, www.leader.ir (accessed 24 June 2013). Grand ayatollah Fadlallah does not pay specific attention to purity or impurity with regard to non-Muslims on his website. Apparently in his Qur'an commentary, called *al-Nadwa*, he states that no human beings may be called impure in and of themselves (Darwish 2009, 174-175).

public space in numerous aspects, such as, for example, using public facilities, public transport, going to a restaurant, or buying food from a non-Muslim. Many young Shi'is, however, apparently never thought about the possible impurity of non-Muslims. When I brought up the issue during interviews, my interlocutors looked at me questioningly. For example the Afghan university student Pardis said, 'About purity or non-purity of non-Muslims, well, I never thought about that. I do not see it like that. For me everyone is pure. And I have not been taught such a way of thinking by my parents.'

Prayer disciplines

'Practice starts with prayer. Praying makes you a different person. Once you start praying, the rest will follow,' was the statement of Mustafa, a Turkish student of 18. Being a member of a not very actively practising Shi'i family, Mustafa decided one year earlier to consciously engage in performing prayers. From the moment he started praying at three moments every day, Mustafa's Muslimness became more than just a part of his identity, he said. He began to feel really Muslim and it awakened in him the desire to become a really good Muslim. Since he started performing the daily prayers Mustafa has tried to gain as much religious knowledge as possible and to apply this knowledge in daily life. This changed his life a lot, compared to the years before he became a committed practitioner. Instead of conforming to Dutch behavioural standards, he now considers whether actions are permitted according to the Islamic moral code. He for example no longer goes out in the weekend. Alcohol, music, masturbation are all out of the question now, he added. His religion became his behavioural framework. For Mustafa, starting to perform prayers three times every day was a turning point in his life.

We now turn to Iman, who immediately linked my question how important religion is in her life to the daily prayer practice, as her answer demonstrates, 'Recently it has become very important. In the fifth grade of high school, I really started to pray five times a day, every day, standard. Before that, I had good and less good periods. Only when I really started praying every day did religion become part of my daily life. Prayer forces me to really practise my religion.' Before that time, Iman explained, discussing and thinking about Islam prevailed over practice. Yet at some point she unexpectedly proved to be

susceptible of her mother's talks about the benefits of practising prayers, which she explained as follows,

Once my mother told me something I will never forget. She said that when it is prayer time and you are able to perform prayer but you postpone it because you think, "I will finish reading this page, or I will finish learning this chapter," it means that you keep God waiting for you, as it were. [...] Suppose you are studying for an exam and it is prayer time, and you are able to perform prayer because you are not following a lecture or a lesson at that time but you do not do it. In such a case, you will either not understand your course material or you will understand it but fail the exam, because the most important thing – besides doing your best, as that is essential – is that you do it with dedication to God. After all, you ask God's help in everything, even though you learned the material very well.

151

For Iman her mother's remark was very important because it made her believe that all the good things in her life happen with the help of God, who is willing to help her because she meets his demands. 'For me it works,' Iman said, 'and since I have performed prayers five times a day and read the Qur'an, I feel inner peace. I have less inner conflicts. I feel a bit more reassured in life, if one can say so, through prayer, but also through the Qur'an, so my religion as a whole is very important in my life.' Iman added that her prayer practice also affects how she relates to others, by always trying to stay friendly and patient instead of showing irritation or impatience. She told me that she experiences her new way of self-regulation in the social context as very positive and rewarding. She tries to make it part of her self. 'I have chosen to make use of my religion. Sticking to the rules sometimes is a very difficult duty, but there are also many rulings that make life easier.'

Praying may give Iman true inner peace and confidence in her dealings with others, but she is not always confident about the way she performs prayers. 'From time to time, I make a mistake during prayer, or I am not sure whether or not I did a certain act. At some times I am simply more concentrated than at other times. When I am very concentrated, praying may be a very spiritual act. It gives you a feeling of, how can I explain, of being busy with something 'very holy'. But there are also moments when I perform prayer just because it is a

duty, something that should be done. One should always pursue a maximum level of dedication, but sometimes I do not succeed in that.' She was happy to find out that 'Sistani says that you should not listen to your doubts if you are a doubter.' Now she no longer feels that she has to restart prayer from the beginning in case of doubt.

152

Both Iman and Mustafa experience the daily ritual act of praying as a means to arrive at a specific moral disposition that helps them acting as a Muslim 24 hours a day and acquiring the Islamic virtues. They identify the performance of prayer as a key practice for moulding their desires, intentions and spontaneous emotions in the way described by Asad (1993, 62-65) and Mahmood (Mahmood 2001b, 828, Mahmood 2005).

Temporarily turning secular space into Muslim space

The meaning of prayer in Dutch public space is twofold: it is an act of submission to God and at the same time it is an act of identity revealing religious commitment. The average Dutchman, whose ideas about Islam often match the negative image that dominates public discourse on Islam, might interpret Muslim practices like performing prayer as indicators for irrationality, intolerance, and a lack of integration. He may even see them as violence or Muslim fundamentalism, as is shown in the media coverage (Henkel 2005, 487, Jouli 2009, 458).

Muslim practitioners, I learned from my interlocutors, are much aware of this perception among Dutch people in general. This is illustrated, for example, by the testimony of Aref, who told me that he struggled with the question how to improve his prayer routine. At the time of our interview Aref had been working for a few months as a medical doctor in a general practice where he was the only male, the only non-white person, and the only Muslim. Aref wanted his prayer practice to become more regular while observing the correct prayer times. Given his position, however, he felt vulnerable in his working environment. Moreover, he doubted whether performing religious duties would be regarded as affecting his professionalism. Aref, a follower of Sistani, met a Pakistani religious scholar, a representative of ayatollah Khamene'i, and consulted him to solve this problem. This *shaykh* suggested to start performing prayers at work by creating space and time for it and to just see if this would work. Aref told how he followed that advice,

Well, I just did it. During my break, hop ... I mean, I had a tap, I had water, I had everything in my office, so it was not necessary to leave my office and do *wudu* somewhere in the bathrooms and pass the reception desk on wet bare feet, so that made it easy. That was one. Well, I took my compass to find the right direction, and hop, pray. It was fixed in no time. In the beginning I thought about people entering my office unexpectedly, but I left that idea and I thought it would be easy to explain. They know I am a Muslim after all. [...] But I must confess that the sounds I hear during prayer disturb my concentration. I have considered putting a message on the door with 'do not disturb', but this would maybe lead to discussions that I would rather postpone until a later moment. My assistant is also a Muslim, so she understands my closing the door. But for me performing prayer is a private matter, so I have not told my Dutch colleagues about it. After all I only just started in this general practice. For the time being it is important for me to concentrate on the prayer itself, on really doing it, if possible at the correct time. And I want to be sure for myself that it does not interfere with my professionalism.

For Aref it was a relief to have found this easy solution for fulfilling his religious duty. He was convinced now about having enough possibilities for performing prayer without affecting his professional attitude and the relationship with his Dutch colleagues. He added laughingly, 'the disadvantage of this experience is that I cannot quit anymore now.'

The Dutch convert Enfal, who works as a psychiatrist in similar conditions as Aref, also made it a habit to pray in her office. After much consideration Enfal decided to make a placard that says 'meditation break, only disturb in case of emergency' and put it on the door when she performs prayers. 'I thought meditation would be a more acceptable idea than prayer.' Nevertheless, she added, her colleagues know that her meditation is actually prayer 'because I first have to go to the toilet for the disabled to do *wudu*.' Moreover, Enfal is easily recognisable as a Muslim by her headscarf.

What Aref and Enfal do is turn their office into a private space for the time of prayer (cf. Henkel 2005, 497). By arranging prayer conditions in a way that does not draw attention to their performing a Muslim ritual, Aref and Enfal found a way to fulfil their religious duties during working hours without alienating themselves from their colleagues and without affecting their

personal image as a professional. Enfal moreover did not mention the ritual 'prayer' but instead used the more neutral and in the Netherlands broadly accepted term 'meditation'. Although colleagues know that Aref and the veiled Enfal are Muslims, they both chose not to confront their colleagues with the actual practice of prayer. By making this choice, they keep the Islamic religious practice outside the Dutch public sphere and make it a private affair.

Intra-Muslim prayer encounters

Public buildings such as schools and universities usually have prayer rooms, and many of my interviewees also consider Sunni mosques suitable places to perform prayers.¹¹³ In such Sunni spaces it is likely that a Shi'i Muslim is the only Shi'i between Sunni Muslims. Performing prayers in the vicinity of Sunnis may arouse feelings of hesitation with Shi'is as they will be recognised as Shi'is, due to the fact that there are some clearly visible differences in Sunni and Shi'i prayer rituals.¹¹⁴ Legal prescriptions with regard to ritual ablution, movements and recitations are different. Moreover Shi'i Muslims use a *turba*, a clay tablet that symbolises earth, to prostrate upon.¹¹⁵ As a result of these differences, Sunni and Shi'i Muslims who perform prayers in the same space easily recognise their co-religionist being of a different *madhhab* (school of thought within Islamic jurisprudence).

In order to avoid religious discussions with Sunni peers, Shi'is usually present themselves as ordinary Muslims, Kamran said, 'But with performing prayer it [the difference] is immediately clear. We use a *turba* for prayer. By way of experiment I once left a *turba* in the prayer room [at university] to use it when I come there for my prayer. I did this three times. Three times the *turba* was gone, so, well, then I knew enough.' How a discussion about prayer

113 In the Netherlands there is only a handful of Shi'i mosques whereas Sunni mosques, around 450 in number, can be found all over the country, with a concentration in the western part of the country. See http://www.wrr.nl/fileadmin/nl/publicaties/PDF-verkenningen/Geloven_in_het_publieke_domein.pdf, p 118, (accessed 30 January 2014). In chapter 8 I discuss how Shi'i Muslims in the Netherlands are organised in Shi'i associations.

114 Unlike Sunni Muslims, Shi'i Muslims keep their arms unfolded at their sides during prayer.

115 A *turba* is a clay tablet symbolising earth that is used by Shi'i Muslims to prostrate on during prayer. Using a *turba* is not obligatory, but according to Shi'i *fiqh* it is only permissible to prostrate on earth or on materials that are considered to be part of the earth. See websites of grand ayatollahs Sistani, <http://www.sistani.org/english/qa/search/42631/>, and Fadlallah, http://english.baynat.org.lb/readers_mail/readers13.htm (accessed 24 January 2014).

practice proceeds depends on whether the other Muslims are 'ordinary' Sunnis or Salafis, explained Abbas.¹¹⁶ 'I find it very difficult to talk with Salafis. Sometimes you do not do anything wrong [according to Shi'i understanding] and they [Salafi Muslims] start to argue that you are doing something wrong. Most Shi'is are not concerned with other Muslim beliefs but only with *ahl al-bayt*. [...] With normal Sunnis I have no problem at all. We occasionally have discussions, but that is always in a proper way. [...] I do not need to convince them, that is not important, as long as I can give them some information about Shi'i Islam.' Abbas regularly visits one specific Sunni mosque to perform prayer and he feels respected as a fellow Muslim over there. Other interviewees also make mention of respectful relations between Sunni and Shi'i students in public prayer spaces at universities.¹¹⁷ Nevertheless, most young Shi'is want to avoid possibly problematic discussions with Muslims of the Salafi branch. For some of them the possibility of postponing prayers to the moment of homecoming is a godsend.

Prayer in the private sphere

Much to my surprise most of my interlocutors apply the policy of unobtrusive prayer practice towards all non-Muslims, irrespective of whether these are complete strangers, colleagues, or even close friends. They make their prayer practice invisible and unnoticed in their social environment by organising their programme in such a way that they can perform prayers at home. The possibility of combining prayers offers them the flexibility to structure the day in a such a way that daily prayers can be fairly easily planned, both in terms of time and place. The preference to perform the prayer at home may have different motivations, I found out.

Amina told me during the interview that she would be visiting a friend that same afternoon. As she had mentioned earlier in our conversation that she strongly preferred doing prayer at home, I asked how she was planning to

116 Salafism is a trend within Sunni Islam which labels Shi'i Muslims as unbelievers because of venerating Imams who are deemed infallible and denying the legitimacy of the first three caliphs of Islam (Meijer 2009, 41, Maréchal, Zemni 2013, 231).

117 On the Facebookgroup Ahlalbayt4Everyone there is an exchange of information on prayer rooms in schools and universities. See <https://www.facebook.com/groups/ahlalbayt4iedereen/permalink/644266185630496/> (accessed 12 March 2014).

arrange things now that she was in another city. 'I plan to be home before twilight,' she said. When making appointments with non-Muslim friends she made this her normal procedure. She explained,

156

For me it makes no difference if a friend is a Shi'i or a Sunni Muslim, but Muslim or non-Muslim makes a big difference. I do not want to bother people with it ... well, bother ... I think that many people, certainly nowadays, really consider that 'believing' should be a private activity. They think that is possible! They think that believing is not more than praying, fasting, and blablabla, and they do not want to be bothered by such things. Somehow I do not succeed in making clear to them that believing is more than that. Those [praying, fasting] are of course things that belong to it, but believing is a way of thinking. I am always a Muslim, at every moment, also when I do not pray or fast. For me this is a reason not to bore others with my faith issues and religious practices. Therefore I choose not to do such acts when I am with non-Muslims.

Amina, wearing a headscarf, has close friendships with, as she said, 'super-super-atheists and super-super-practising Shi'i Muslims,' and all variations in between. She experienced that her non-Muslim friends start to feel uncomfortable when they see her doing things they themselves do not know or recognise 'because these acts belong specifically to my religion.' Such religious acts 'might cause others to feel outsiders,' Amina said. Her basic attitude therefore is 'to keep my faith in my own domain.' Given the fact that she wears a headscarf, Amina probably meant that she preferably keeps her prayer practices in her own domain. Instead of putting up barriers in the friendship relations by arousing feelings of exclusion, Amina prefers to postpone her prayer until she is in her private space.

In some situations, performing prayer in the presence of non-Muslims is unavoidable. Yasmina told me about an extended class trip to London with her Dutch classmates. She does not wear a veil and not all her classmates know about her being a practising Muslim. Yasmina therefore decided to deal with religious duties in a pragmatic way during the trip. She did some short

prayers.¹¹⁸ Although her friends noticed her doing so, they did not pay special attention. ‘They respected it,’ said Yasmina. If prayers did not fit into the travel programme, she decided to make up for those a few days later, at home. ‘I did not want it to be frightening for them, so then I thought, “I can make up for missed prayers later.”’

Interestingly, both Amina and Yasmina sketch the image of controlling the situation by deciding not to do their prayer in front of non-Muslims in order not to arouse negative feelings about Islam. For them, good religious practice is finding a balance between correct performance of worship duties and creating a positive picture of Islam by not visibly prioritising religious duties over social activities.

The majority of my interlocutors show a strong preference for praying at home for reasons of concentration and ritual purity, even if this means that they do not carry out the prayer at the correct time. Doing the ritual ablution is easy at home. The prayer mat and *turba* can stay at home instead of in their bag, and a set of clean clothes is close at hand. Being in public space or visiting a public toilet may render one’s clothes unsuitable to wear during prayer. ‘You never know,’ said Pardis, ‘and for me it is absolutely necessary that my mind, my body and my clothes are clean. Only then I feel, “Now I can do it the way I want to do it.” [...] So usually I change clothes before performing prayer. The most important about my clothes is their being clean. But I also try to wear long sleeves and long trousers. Often I wear sleeveless shirts, so for prayer I put on an extra shirt, with long sleeves. [...] I can perform prayer in a pair of jeans, provided that it just came from the washing machine.’ In daily life Pardis wears no headscarf and dresses in fashionable close-fitting clothing. What matters for prayer, she stated, is not the look of the clothes but rather the correct covering of her whole body.

My interlocutors consider it important to perform prayer correctly and with devotion. Pardis does not have a real routine yet and she regularly misses prayers. At home, in her own room, it is much easier for her to muster the required concentration. She always takes time to mentally prepare for prayer,

118 Special rules apply to travelling Muslims and their prayer. See websites of grand ayatollah Sistani, <http://www.sistani.org/english/book/48/2250/>, grand ayatollah Khamene’i, <http://www.leader.ir/tree/index.php?catid=38>, and grand ayatollah Fadlallah, <http://english.baynat.org.lb/fatawa/s2ch1.htm> (accessed 30 January 2014).

and the rituals of ablution help her to get the right 'state of mind'. Apart from having her 'prayer equipment' at home she is certain about having her own quiet room where she can perform prayer with full dedication and without distraction.

158

Prayer is preferably an individual ritual for my interlocutors. Even those sharing a household with a marriage partner usually started laughing when I asked them if they perform prayers together. Most married couples pray separately, arguing that praying needs concentration. The Dutch convert Sarah said, 'If you loose your concentration, prayer becomes a routine act. You know what to do and you switch to autopilot. But that is not prayer as it is meant to be, because you are distracted. Just doing some movements and uttering some words, no, that makes no sense.'

Muslim and secular sensibilities

Negotiating between correct practice and representation

In choosing a weekend job, dealing with colleagues, doing sports, going to a school party or a barbecue with friends, Muslims living 'a Dutch life' are often confronted with issues that urge them to find a balance between social interaction with non-Muslims and proper Muslim behaviour according to religious regulations. Questioning my interviewees about the difficulties they experience in this respect, the issues mentioned most often were: music, alcohol, and handshaking. Another major issue brought up by my female interlocutors is the *hijab*, which will be dealt with in the next chapter. In this section I will illustrate how Shi'i youth consciously consider how to deal with the issues mentioned above, how they negotiate between correct Islamic practice and representing Islam in a positive way.

Music

Over the past decades music has become increasingly influential in people's daily lives and lifestyles as it is available anywhere and anytime through a variety of devices: television, computer, smartphone, tablet and so on. For the emotional and stirring effect that listening to music, singing and dancing may

arouse, religious scholars consider these activities as potentially distracting from devotional life and as encouraging moral decay and indecency (Van Nieuwkerk 2008, 170-171, Otterbeck 2004, 11-12, Otterbeck 2008, 223).

Regulations of the *maraji' al-taqlid* Sistani, Khamene'i and Fadlallah share the idea that music is permitted, provided that it does not arouse lust. Ayatollah Khamene'i prohibits listening to music that distracts from worship. Grand ayatollah Sistani draws the line with prohibiting music that is suitable for 'gatherings of entertainment and moral depravity.' Moreover, Sistani says that one is allowed to hear prohibited music unintentionally, for example in public places such as shopping malls and supermarkets, but that intentionally listening to that music and enjoying it is prohibited. For ayatollah Fadlallah music is religiously permitted when it 'does not stoke one's instincts, nor leads to a state of trance, and [...] does not include sexually arousing themes.'¹¹⁹ Mona raised music as a difficult issue that always leads to much debate among Shi'i youth because, as she said, 'Khamenei forbids music, Sistani says that music is allowed as long as it is not party music, and Fadlallah says that music is allowed as long as it is not offensive.' Those disparities cause uncertainty, Mona said.

With respect to performing music the ayatollahs also have different opinions. Sistani and Khamene'i prohibit to listen or to perform songs that serve as entertainment, especially when sung by women. They also forbid dancing in a mixed gathering.¹²⁰ Fadlallah does not prohibit such activities but instead urges his followers to remain cautious.¹²¹ Other research shows that late ayatollah Fadlallah was open to the idea that unfamiliar habits become familiar to Muslims as a result of changing conditions, and that rulings can be revised if this benefits Islam (cf. Alagha 2014, 74). In my elaboration of the topic I distinguish between the acts of listening to music and performing music.

119 See websites of the grand ayatollahs Sistani, <http://www.najaf.org/english/book/5/inside/54.htm> and <http://www.sistani.org/english/book/45/1964/>, Khamene'i, <http://www.leader.ir/langs/en/>, section FAQ, and Fadlallah, http://english.bayynat.org.lb/Editorials/Shariah_Music.htm and http://english.bayynat.org.lb/islamicinsights/elaph_p2.htm (accessed 14 July 2013).

120 See websites of grand ayatollah Sistani, <http://www.sistani.org/english/qa/01172/>, and of ayatollah Khamene'i, <http://www.leader.ir/langs/en/index.php?p=istifta>, section FAQ (accessed 2 March 2015).

121 See website of grand ayatollah Fadlallah, <http://english.bayynat.org.lb/jurisprudence/art.htm> (accessed 2 March 2015).

Listening to music

160

The variety in opinions of the religious authorities regarding music is reflected in my interlocutors' attitude towards music. I saw young people to whom religious legislation offered sufficient clarity and others who were uncertain about the permissibility of listening to music. Some permit themselves to listen to music when they are sure this does not interfere with their prayer practice while others only listen to songs in secret, which corresponds to what Deeb observed among Shi'i youth in Lebanon (Deeb, Harb 2013, 10).

For some of my interlocutors listening to music is morally acceptable as long as it does not interfere with performing daily prayers. One of them is Abbas, who said, 'Music is a difficult issue, it is something very personal.' He explained that for one person listening to music is harmful because it distracts from doing prayer in time but that for the other it does not interfere with performing prayers. In the latter case he sees no problem. 'If you have already performed prayer and you have taken five or ten minutes to read the Qur'an, you can listen to music afterwards just because you feel like it, just to relax.'

Kamran also distinguishes between moments of relaxation and moments of devotion to religious matters. He said, 'I listen to all genres of music, especially a lot of jazz, which I think is great, but also classical Iranian music creates a fantastic atmosphere. Still, when I listen to religious scholars giving lectures about Islam, I do not want to hear any music, because at such moments music disturbs me.' Both Abbas and Kamran argue that as long as worship acts are performed in time and correctly, listening to music is not harmful. The truth is that I met Kamran for the first time at a music event, when I joined a group of Afghan Shi'is going to a concert of Sami Yusuf, a British musician of Azerbaijani-Iranian origin who became popular among Muslims in the West and in the Middle East with his Islamic lyrics. The character of his songs is diverse, some of them relating to the Islamic *nashid* (musical Islamic poetry) tradition and others to American, often Christian, soul balads (Otterbeck 2008, 225). During the concert the crowd, mostly Muslim, applauded, danced and sung along with the artist. Several young Afghan Shi'i women of the group I joined arranged an encounter with their music idol after the concert.

Immediately after the event they posted the pictures of Sami Yusuf posing amidst them on their Facebook sites.¹²²

Yet among my interlocutors I also found youths for whom listening to music feels like committing a sin. They assume that music is forbidden to listen to precisely because it affects one's feelings and encourages singing and dancing. One of those doubting the permissibility of listening to music is Bayan, who said,

The *mujtahid* says that music is forbidden. Music is only allowed if it does not create a particular state of mind, but nowadays all music creates emotions or a certain mood, even the *nashid*. I think what they [legal authorities] mean is that music should not evoke emotions. It should not make you feel sad and it should not make you feel happy. But every genre of music evokes emotions! It gives a dreamy feeling. It makes you relaxed. Therefore I wonder, "What is the boundary?"

This remark shows that the religious rules for Bayan, like for many others, do not provide clear guidance about the musical genres they are allowed to listen to. She turned to the *wakil* (representative of her *marja' al-taqlid*) to ask for an explanation of the regulations. Bayan continued,

Of course the *wakil* says it is better to act by way of precaution. He says music is from the *shaytan* [devil], so the *shaytan* brings you a feeling that was not there before. This feeling makes that you want to dance, a desire that was not there before. So he says that music is not allowed.

Bayan reasons that the *marja' al-taqlid* and his *wakil* always adopt the most strict interpretation to prevent straying of their followers. Occasionally she allows herself a somewhat less strict attitude, as is illustrated in the following part of our conversation,

Bayan: I sometimes listen to music. It makes me feel guilty, but I also wonder how to draw that line. I have lessons in belly dancing, so I dance, to music.

122 The concert of Sami Yusuf took place in De Doelen theatre in Rotterdam on 24 October 2010.

Then I think, “This is what I like.” But I know I had better not listen to music. I do not do it very often. I listen to the radio very little and I watch little TV. Only very occasionally do I have music on, in my car, and then I feel guilty. Then I think, “I really should not do so, I will only do it for a few minutes.” [...] Many people [Muslims] listen to music and they all think, “We will see.”
 Annemeik: We will see?
 Bayan: On the Day of Judgement.

Bayan reasons that she will at one time be held accountable for all the times she has been listening to music. Knowing that her Muslims peers make the same choice and await the same fate eases her conscience.

Performing music

For young Muslims living in the western world, music may be a meaningful way to provide a different view on the stereotypes of Islam and Muslims in western societies (Bayat, Herrera 2010, 359-360). None of my interlocutors engaged in making or performing music. Two debates that arose on the Shi'i Facebook community Ahlalbait4Everyone on performances by Muslims reveal the ideas of young Shi'is with regard to Muslims performing music for an audience.¹²³

The first debate that I discuss arose after the broadcasting of a program with a young Muslim woman performing a song in a popular and widely viewed Dutch television programme. More precisely, the performance of the girl was in a Dutch musical talent show that is very popular among Dutch youth. As an introduction to her performance the woman said that she intended to counter the prejudices about Islam by drawing the attention to the peaceful aspects of the religion.¹²⁴ In a modest way, sitting on a stool, wearing *hijab*, she played her guitar and sang a self-composed song. On the Facebook youth community Ahlalbait4Everyone a discussion took place in response to this broadcast. The central question was, ‘Should Islam be represented this way?’ Some of the

123 In chapter 7 I discuss the presence of Shi'i youth communities on the social media, including Ahlalbait4Everyone.

124 See Seval with her song Hello in the Dutch television program XFactor on http://www.youtube.com/watch?v=89Toou_DSXQ (accessed 2 February 2014).

commenters were enthusiastic. They thought it a good way to represent Islam, with a beautiful text and a modest performance. The performance in their eyes met Islamic standards, as evidenced by comments like ‘she does not use electronic music’ and ‘she has a modest appearance, without make up or exuberant jewelry.’ References were made to the effect of her song on Westerners, such as, ‘If we can inspire Westerners through such songs and draw attention to Islam ... Maybe not so bad.’ Most of the commenters however favoured a more literal approach to religious regulations. They made comments like, ‘A woman is not allowed to sing in front of men’, ‘Certain instruments and vocals are simply *haram*, no matter the intention’, and ‘We are not capable of making our own decisions as if we were a *marja*.’ In their eyes, a performance like this was contrary to Islamic norms and therefore reprehensible.

A debate like this demonstrates the many different views that exist about what good Muslim behaviour may look like, all of them based on the same Shi‘i legal prescriptions. The final commentary also said, ‘We must use our brains, but we cannot make our own rules. However, in many cases even the *maraji*’ disagree with each other. So I am not surprised about us having different points of view.’

The launch of the video clip *Happy British Muslims* on YouTube in April 2014 led to another long debate on the Facebook group AhlAlbait4Everyone. In this video, we see Muslims of both genders and of all ages singing, clapping and dancing to the worldwide hit *Happy* by Pharrell Williams, an American musician and singer.¹²⁵ For the same reasons as described above, this video led to positive and negative reactions. Yet in this debate it was also noted that music western style is a threat to Islamic practice and morality, as is demonstrated by the following comments.

Do we follow Islam? Yes. Do we accept the traditions of our Prophet? Yes. Do we follow a *marja*? I suppose most of us do. So ask your *marja*, send him this video, and see what his answer is. Only when he gives us the green light may we play songs of Pharrell Williams after every Qur’an recitation in our organisation. Because it makes you happy [...] Should we not ask ourselves if we have become addicted to music? Is there no better solution than music to

125 See YouTube, <https://www.youtube.com/watch?v=gVDIXqLLqSM> (accessed 2 May 2014).

be happy or to show that you feel happy? The conclusion according to Ahlalbayt is: Music reduces the *baraka* [blessing] in life. Music is the key to sin.

And the satirical line,

164

Imagine expressing your joy dancing in front of Imam Mahdi?¹²⁶

This debate also touched on the matter of moral decay of the Islamic tradition in the western world that lies ahead once western music and dance enter into it and become accepted, as is evidenced by the following two comments.

Do we reduce ourselves to the [western] music and dance culture in order to be accepted? What would the Prophet think about this? What would Allah think? Is this a new trend in which Muslims adopt pop culture, losing our honour, *hijab* and faith?

And

This is *haram*. If this continues, our children will be Muslim in name and not in deeds. [...] When the Muslim community permits this stuff, within a short time drinking alcohol will be allowed and extramarital relations will become normal.

The two debates discussed in this section demonstrate the resistance against (western) music because listening and performing this type of music are seen as potentially affecting Islamic values, Islamic practice and the continued existence of the tradition. Engaging in western music, it is argued, is a first step towards a sinful life.

¹²⁶ Imam Mahdi is the twelfth Imam, who according to Shi'i faith is supposed to be in occultation and will return on the Final Day of Judgement.

Alcohol

The way in which alcohol in the West is part of the everyday life and the fact that alcohol is connected to sociability is often perceived as problematic by my interlocutors. Drinking alcohol is forbidden in the Qur'an (5:90-91). The codes of conduct of the religious scholars mention health risks and social problems related to alcohol.¹²⁷ Muslims consider drinking alcohol one of the biggest sins one can commit because 'it drives one away from Allah.'¹²⁸ For all of my interlocutors drinking alcohol themselves is out of the question.¹²⁹ Nevertheless they experience alcohol as a problematic issue because religious authorities caution their followers to stay away from places where alcohol is present. These regulations require negotiation, as I will demonstrate by discussing the topic in two distinct fields: work and social life.

Selling alcohol

For young people in the Netherlands it is common to earn some money alongside their study. Student jobs are easily found in supermarkets or restaurants, hence, places where alcohol is sold or served. Such jobs bring Shi'i youth in doubt. Are they allowed to work as a waiter in a restaurant and serve alcoholic drinks to guests? Is it permitted to work in a shop or a supermarket that sells wine and beer? On their websites, the grand ayatollahs Sistani and Fadlallah caution to stay away from places where alcoholic beverages are sold, served and consumed. Ayatollah Fadlallah rules that 'it is impermissible to work in selling alcohol.'¹³⁰ Sistani prohibits selling alcohol to Muslims and forbids engaging in types of work that might be 'considered as a first step to drinking liquor and serving it to customers.'¹³¹ Ayatollah Khamene'i did not publish any rulings about dealing with alcohol in non-Muslim countries.

127 See website of grand ayatollah Fadlallah, <http://english.bayynat.org.lb/Doctrines/q3.htm> (accessed 2 February 2014).

128 See website of grand ayatollah Fadlallah, http://english.bayynat.org.lb/readers_mail/readers16.htm (accessed 2 February 2014).

129 With regard to the issue of drinking alcohol, I cannot but rely on the accounts of my interlocutors. As a second remark I must once again emphasise that my group of interviewees, Shi'i youth practitioners, not necessarily reflects the conduct of the Shi'i youth community as a whole.

130 See Q&A section on the website of grand ayatollah Fadlallah, http://english.bayynat.org.lb/readers_mail/readers17.htm (accessed 30 January 2014).

131 See website of grand ayatollah Sistani, <http://www.najaf.org/english/book/5/> (accessed 17 July 2013).

For most of my interviewees it is obvious that they will not take jobs in alcohol selling shops, supermarkets and restaurants. Most avoid a burdened conscience and confronting situations by searching for a job in another sector. Some, however, argue that working in a restaurant or a supermarket is not bad as long as one is not in direct contact with alcoholic drinks oneself. Once it happened that an Afghan young woman, a girl I had been sitting next to during a religious youth gathering a few days earlier, received me and my family as the hostess in a family restaurant that we visited. As a hostess she welcomed guests and guided them to their table, so she had nothing to do with selling or serving alcohol. Although many of the visitors consumed alcoholic drinks she saw no harm in performing her task.

Among my interviewees I also found a way of reasoning that takes into account the differences between Islamic societies, where alcohol is not visibly present in the social sphere, and the Netherlands, where consuming alcohol is part of social life and of society as a whole. Rafi articulated this way of thinking as follows,

During my study I worked in a restaurant as a waiter, so I had to pour beers. One of my fellows said, "What you are doing is *haram*, no?" And I asked, "Why would it be *haram*? I just do my job." Then he said, "It is wrong though, because you are selling beer." And I said, "Well, this business is not my business, I just work here." And I said, "You work at Albert Heijn [supermarket], right? And you also get student grants?" "Yes," he said. I then answered, "Where do you think the money for paying student grants comes from? It is paid from the tax revenues. And who paid for those revenues? Heineken, Amstel, those companies. [...] If you consistently carry out your way of thinking You do not shake hands [because Islam forbids to do so] but student grants are a symbolic hand, and you take those grants, with both your hands. And even worse, how do you deal with a social benefit? You would take it with both your hands." If someone thinks very strict about everything, he should not live here.

Following Rafi's way of reasoning, the Shi'i rulings about the impermissibility of selling and serving alcohol are hypocritical within the Dutch context. He reasons that living in the Netherlands and being part of the Dutch system

implies a symbolic way of being involved in alcohol transactions. Consequently, he argues, selling alcoholic drinks is only a derivative of this. For Rafi, living in a non-Islamic society requires a flexible approach towards some religious rulings because as a Muslim one is inescapably part of a non-Islamic economic system. In his private life, however, Rafi respects the religious prescriptions of his *marja' al-taqlid*.

As I have illustrated there are two approaches to religious regulation on the topic of alcohol. One is to strictly follow religious regulations and avoid a job that might involve selling alcohol. Another is reinterpreting the regulations, based on the Dutch context. Such personal interpretations among my interlocutors often result in flexible application of the rules in the workplace and a strict observance in private time.

Alcohol in social life

Many of my interviewees, both male and female, have a broad social circle of friends and acquaintances, including Muslims and non-Muslims. Maintaining contacts and friendships with Dutch people who are used to drinking alcohol often asks for conscious consideration (cf. Deeb, Harb 2013, 11-14). From the stories of my interviewees, I can conclude that they often attempt to find a balance between compliance with religious norms and representing their religion in a positive way. I will illustrate that the act of balancing often implies an inner struggle of which non-Muslim friends or colleagues are unaware.

The most difficult situations reported by my interlocutors are gatherings in a small group of people, for example a birthday party of a friend, a dinner, or a Friday afternoon gathering with colleagues. Not participating in such activities would lead to becoming an outsider, yet participating leads to balancing acts. This is because Shi'i legal prescriptions not only forbid the consumption of alcohol. The rulings also do not allow sitting or eating at a table where alcoholic beverages are consumed.¹³² Quite a number of my interviewees, although keen on respecting the religious regulations, argue that the social aspect of mixing with non-Muslims might be more important than a strict observance of the rulings regarding the keeping away from alcohol altogether. It may for example

¹³² For the relevant *fatwas* of Fadlallah and Sistani, see http://english.bayynat.org.lb/readers_mail/readers11.htm (accessed 5 May 2014) and <http://www.sistani.org/english/qa/01123/> (accessed 22 July 2013).

happen, several of them told me, that a group of friends or colleagues gather and that everyone drinks tea or a soft drink except one person, who has ordered a beer. Such situations are unavoidable in the Netherlands, is the general reasoning of my interlocutors, because this is a western society with a population of different cultural and religious backgrounds and, consequently, different norms and values.

Young Shi'is who attempt to follow religious rulings strictly mostly do so without drawing attention to themselves and without provoking a discussion with non-Muslims in order not to affect the image of Islam negatively. A commonly used and remarkably simple and practical solution in a restaurant or a café is pushing two tables a few centimeters apart, placing the persons drinking alcohol on the one table and those not drinking alcohol on the other. This happens often with only a single word or without even being noticed by non-Muslims. With such an arrangement a Shi'i Muslim is able to join the social gathering without disrespecting Shi'i standards and without becoming 'different' from their Dutch colleagues, friends, or neighbours.

Some situations are much more complex, as proves the story of Abbas. As president of his student union, Abbas is frequently in the company of alcohol consuming fellow students. He says the following about his discomfort in such situations,

It sounds very simple that one is not allowed to sit at a table with alcohol on it, but what do you do if you find yourself in such a situation? You cannot suddenly leave a dinner party. You cannot leave the restaurant or eat your dinner alone, somewhere in a corner. What would people think? Their image of Islam would be badly affected. Those things are very, very, very difficult and you cannot avoid them when living in the West.

Abbas explained that in situations like he described, a practitioner is supposed to choose the lesser of two evils. He decided that it was better in such cases to stay at the table with his fellows and to leave immediately after dinner is finished, when there is no longer a need to justify his reason for leaving. By acting accordingly he avoided drawing attention to himself as a Muslim in a way that demonstrated rejection of Dutch sociability, neither did he harm the image of his religion. Abbas commented that he feels safe about his choice

to violate religious prescriptions, because God knows his good intentions.

Even in relations with good Dutch friends young Shi'is try to respect the religious rulings as unobtrusively as possible. Iman usually does what she thinks is the most appropriate in the given context. She is the only one among my interlocutors who has no close Muslim friends. She is part of a circle of Dutch female friends, all of them studying in the same city and living together in a students house. As is typical for student life, the girlfriends have dinner together a few times every week. It happens frequently, Iman told me, that during such a dinner one of her friends says, 'Wait, I still have a bottle of wine' or some alcoholic stuff like that, which evokes in Iman the inner reaction 'tough luck'. She further explains,

But I do not say so, I only think about how I will solve it this time. Last time I lifted my plate from the table and sat a bit back, and I ate my dinner like that. I must have made a very strange impression. Another time we had a barbecue at a friend's house and I sat back from the table as far as possible. Maybe I was a bit in the corner, and [she said, smiling] maybe people thought I was shy, but I find it very difficult to say that my religion does not allow me to sit at a table where alcohol is served. I then think, "See how many people are around this table. They would certainly be annoyed about feeling forced to put their beers away because of me." So then I think, "I will make a step aside, without leaving the table or going away." I find it difficult to speak openly about such things. For me this is a tough barrier to overcome.

These statements of Iman demonstrate how she does not want to bother her close friends with her inner struggle that is linked to her religion. Instead, she tries to arrange things in such a way that she does not violate religious precepts without drawing the attention of her friends to the do's and dont's of her religion.

Shaking hands

Of all Dutch social practices that conflict with Islamic prescriptions, the western custom of handshaking when greeting each other is by far the one that disturbs the peace of mind of the Shi'i Muslims I interviewed most.

Shaking hands is a daily recurring, inevitable personal confrontation between Islamic norms and western social practices.

Sensitivity among the Dutch with regard to Islam and Islamic conduct became bigger after the New York attacks of 9/11 in 2001. This was strengthened when in the fall of 2004 a controversy arose about not shaking hands by Muslims after an imam refused to shake hands with the Minister of Immigration and Integration, Rita Verdonk. Coverage of this incident in the media brought this Islamic practice under the attention of the Dutch public, mostly negatively. Obviously for individual Muslims this significantly hampered the strict compliance with the Islamic rule in this respect.

Sensitivity on Muslim side is motivated by religious regulations, which say that Muslims should refrain from any physical contact with members of the opposite sex who are not *mahram*.¹³³ A handshake is such an impermissible contact. The underlying rationale is that immediate skin-to-skin contact might arouse sexual feelings. The opinions of the *maraji' al-taqlid* are slightly different. Ayatollah Khamene'i states that shaking hands with bare hands is not allowed in any circumstances.¹³⁴ Grand ayatollah Sistani published a *fatwa* in the section Youth's Issues of *A Code of Practice for Muslims in the West* that says, 'When refraining from touching is not possible by wearing gloves or such like, then it is permissible, especially if not shaking hands would lead to considerable harm or great difficulty that is normally unbearable.'¹³⁵ The ruling of grand ayatollah Fadlallah also allows for personal assessment by stating that shaking hands is 'not allowed but in extremely delicate and inconvenient situations. Moreover, the believer must be very precise in judging the delicacy of a certain situation so that he won't be driven by this permission to become

133 *Mahram* are those persons one cannot marry legally, which are for a woman her father, grandfather, father-in-law, uncles, brothers, sons, nephews, and grandsons, and for a man his mother, grandmother, mother-in-law, aunts, sisters, daughters, nieces and granddaughters.

134 See website of grand ayatollah Khamenei, www.leader.ir, section Newly Asked Questions (accessed 19 August 2013).

135 See website of grand ayatollah Sistani, section Youth's Issues, <http://www.sistani.org/english/book/46/2069/> (accessed 19 August 2013). In the Arabic text of this *fatwa* grand ayatollah Sistani uses the words *haraj*, meaning difficulty, and *darura*, meaning necessity. In Islamic jurisprudence, the principles of *haraj* and *darura* imply that the act is in principle *haram* (forbidden), but that it is allowed in certain extremely difficult conditions. This was explained to me by Dr. Tabataba'i Lotfi, Mustafá University, Qum, 24 February 2010, and by the Islamic law specialist Dr Fazadollah Hedayatniya, Islamic Research Institute for Culture and Thought, Qum, 28 February 2010. See for the Arabic text of the *fatwa* Rizvi (2002, 303), authorised by ayatollah Sistani.

lenient or indulgent as regards his religious commitment.¹³⁶ So in order to set and maintain boundaries between men and women as to prevent unlawful sexual contacts, the *maraji' al-taqlid* forbid handshaking with bare hands. The only valid reason to deviate from this rule, say both Sistani and Fadlallah, is if this would cause the greatest possible difficulty.

Turkish imams in the Netherlands allow handshaking with non-Muslims of the opposite sex, based on the principle of *darura* (necessity), as is shown by the research of Fatih Okumuş.¹³⁷ These Turkish imams, Okumuş explains, live in Dutch society and have become familiar with western conduct. As a result, handshaking among the majority of second and third generation Turkish Sunni Muslims has become a tolerable and therefore a usual practice. Such an adaptation to the local social customs would be music to the ears of most of my interlocutors. The legislation of the *maraji' al-taqlid*, however, does not take into account the developments in the first years of the 21st century that dramatically changed the image of Islam in the West. Many of my interviewees indicated that following religious regulation on handshaking was extremely difficult to them, especially because the meaning of this act is different in Islamic and western discourse. 'In this country shaking hands is a sign of respect, whereas with us not shaking hands is a sign of respect. How to explain this over here?', wondered Abbas.

Many of my interlocutors would like their *marja' al-taqlid* to have a better understanding of western codes and meanings on precisely the topic of handshaking.¹³⁸ They cannot escape including the sentiments of a non-Islamic society into their considerations about finding a proper way to respect religious prescriptions without further fueling the negative feelings regarding Islam.

136 See website of grand ayatollah Fadlallah, <http://english.bayynat.org.lb/jurisprudence/Immigration.htm> (accessed 19 August 2013).

137 See <http://nederlandenislam.wordpress.com/2013/07/24/invisibility-of-islam-in-the-public-sphere-in-europe/>; Fatih Okumuş did his PhD research on "The approach of Turkish imams working in The Netherlands to contemporary religious problems" at VU University in Amsterdam (accessed 23 August 2013).

138 Openly criticising a highly regarded person as the *marja' al-taqlid* is unthinkable for my interlocutors, I soon discovered. By asking them what everyday life issues they would like to discuss with or show their *marja' al-taqlid* in case – purely hypothetical – he would pay them a personal visit in the Netherlands, they revealed at which points they were experiencing problems with the rulings of their religious leader, because living these rulings is either impossible or does not fit well with Dutch reality. Remarkably often, they mentioned the regulations regarding handshaking.

Representation, then, became an even more emphatic factor in their considerations and led to a diversity of approaches that I will discuss in the next paragraphs.

Shaking hands with a troubled conscience

172

Some of my interviewees have seriously been trying to put into practice their intention to strictly follow the religious rules by not shaking hands. The personal satisfaction they experienced from meeting the religious rules were, however, negated by the resistance and incomprehension they perceived in daily social interaction. Amina first tried to refrain from shaking hands but she unwillingly modified her approach for the sake of keeping good relations with the Dutch, as evidenced by her words,

Shaking hands is a difficult issue, well, it once was a difficult issue for me. Although I try to live strictly according to the religious rules, I made the choice to shake hands, knowing that it is in fact against the principle of my religion. Officially I should not shake hands. There should not be physical contact. Over here shaking hands is a way of greeting, and only that is highlighted [in the public debate], but at the same time it is a skin-to-skin contact between a man and a woman, which is simply forbidden [in Shi'i Islamic law].

Amina pointed out that in the Dutch public debate, the Islamic religious motivation against the practice of handshaking is completely bypassed. She interpreted the Dutch resistance as follows,

This [rule] equally counts for male Muslims. Many [Dutch] people think that a woman [in Islam] is inferior and that men do not shake hands with women for that reason. But that has nothing to do with it! It has to do with sexual attraction. It may seem very far fetched, because it is only a hand, but yes, if you choose a religion you do not need to understand all the rules, and you do not even have to agree with all those rules. You must just follow them. It is the same as trusting your doctor. You cannot question all the time whether his diagnosis is right. You have chosen him [your *marja' al-taqlid*], so okay, you trust him.

Amina touched on the issue of perceived gender inequality in Islam by non-Muslims and explained the Islamic view. She first argued that, in her eyes, the Islamic legal prohibition is supposed to outweigh any Dutch custom and that the Dutch public debate is based on ignorance. Interestingly, in her argument Amina switched between Islamic and Dutch viewpoints. By saying ‘it is only a hand’ she implicitly indicated that she has an understanding of the meaning of shaking hands among the Dutch as a customary sign of respect rather than a sexually loaded act. In spite of having this understanding it is important for her to maintain Islamic practice, although, as she said, she does not always fully understand the reasoning behind verdicts. She continued as follows,

Amina: Anyway, I no longer follow this rule, and I am very unhappy with that. [...] I notice that people just do not accept my not shaking hands for the sake of religion, even though I explain that it is irrespective of the person and that it has to do with religious principles.

Annemeik: Did you ever try to not shake hands?

Amina: Yes, definitely. And when you do not meet many new people, at some moment the people around you know about it. But with my present job I constantly meet new people, and I would be willing to explain my point but people just do not understand. They see it as a rejection, and that makes me so sad. The contrary is meant. In the Muslim world we always say *salam*, which means precisely peace. I want to start a conversation with peace, and I do not want to hurt people. So I do not see another solution [but deviating from the religious ruling]. My religion means everything for me, but this [shaking hands] is so deeply rooted in the manners here. I fall short on this point, I think. Objectively and theoretically I commit a sin, yes, I think so.

Because the practice of (not) shaking hands is perceived in opposite ways by Muslim practitioners and Dutch people, Amina ultimately decided to act against Islamic rulings but in accordance with the task of representing Islam as a peaceful religion. Yet she experiences this as a personal shortcoming, for which she will at some point be held personally accountable.

Kamran told me about his experiences with not shaking hands in what he called his ‘orthodox period.’ He mentioned that not only Dutch people but also Muslims questioned his attitude.

Kamran: I abstained from shaking hands during a few months and it was like hell. Muslims were upset, and Dutch people turned away from me. Then I thought, "This is harmful, I should stop acting like this."

Annemeik: Whom did you harm?

Kamran: I was harming the image of Islam, the image of the Muslim community. It was no longer the right thing to do, and I was isolating myself. Although meant as a sign of respect, people suddenly see you as some kind of monster. [...] I am not sure if I made the right choice. And I am not one hundred percent sure that I made this decision based on conviction or on weakness.

Living Islam according to the prescribed standards 'is quite orthodox,' said Kamran. He stated that in the Netherlands one should balance between two bad feelings, one being a bad Muslim because of shaking hands and the other being a bad Muslim because of harming the image of Islam. Kamran precisely articulated the struggle of many of my interlocutors and the feelings that go with it. This struggle not only concerns the dilemma of choosing between individual religious practice and a favourable way of representing Islam in encounters with Dutch people. It is also a matter of conscience whether or not one is doing the right thing. Equally important in the personal judgement is the question whether the decision to shake hands was taken because it was thought to be the lesser evil of two evils or because of not having the strength to take a Muslim position in the encounter with non-Muslims.

In their desire to cultivate pious conduct, both Kamran and Amina feel misunderstood by non-Muslims and, as indicated by the statement of Kamran, even by Muslims. In their eyes the difference between Islamic and Dutch practice with regard to handshaking is irreconcilable. This disturbs their efforts of serving their personal interests and the interests of the Muslim community at the same time. In their perception, the decision to start shaking hands again will be difficult to justify. For some of my interviewees this is the cause of a troubled conscience.

Strategies in (not) shaking hands

In order not to be haunted every day by a bad conscience because of shaking hands with non-Muslim persons of the opposite sex, many of my interviewees decided to practise religious regulations regarding not-handshaking by drawing distinctions between different contexts and occasions. Those who in daily professional life meet many Dutch people decided without exception to shake hands with clients or patients but to refrain from doing so outside work. 'Then at least I do something with that rule,' said Iman. She considers it an almost impossible task to explain her abstaining from shaking hands to twenty patients every day. Iman justifies this choice for herself, reasoning that it does not originate in personal weakness but in difficulty (*haraaj*) caused by the circumstances.

175

Hamid, in his work as a psychiatrist, takes into account the effect of strict Islamic practice on the aims and results of his work with psychiatric patients. He explained that one is allowed to deviate from the rule if there are consequences for one's profession or life. Deviating from rulings is only allowed in exceptional situations that are the result of personal judgements, Hamid said. He usually shakes hands with his patients for what he calls 'obvious reasons', because not shaking hands could negatively influence the therapy, or could negatively affect the willingness of a patient for taking important medication. However, this rule of exception does not apply to the other people he meets in daily life. He therefore refrains from shaking hands with colleagues and friends.

Another approach adopted by some of my interlocutors is making a distinction between strangers and acquaintances. These youngsters consider the first meeting with a person as an occasion to make a good impression. They plan to introduce their religious practice only in a later stage. Three of my female interlocutors, the Iraqi Fatima and Arezu and the Afghan Aliye, university students wearing headscarves, prepared for job applications. The three of them told me independently that they planned not to emphasise their being a practising Muslim in the first encounter. They decided in advance to shake hands at the job interview and to discuss the subject of religion and religious practice with their future employer only at a later stage. Arezu outlined her way of reasoning as follows,

Shi'is and also *mujtahids* are not against a certain tactic, especially when it comes to *haraj*, and one can decide for oneself which are moments of *haraj*. [...] Handshaking might belong to those moments, because God does not want us to irritate others. Instead we had better inform people in a good way and at the right moment. So sometimes it is better to shake hands and explain later that a next time you will not shake hands anymore for this and this reason. By acting that way you do not irritate others and from the next time it is no longer necessary to shake hands with that person.

With this statement Arezu clearly demonstrated how shaking hands with the opposite sex in case of difficulty (*haraj*) may turn into correct practice as long as it is done by way of exception and with a deliberate purpose.

Taking the context into account

In the preceding paragraphs I discussed practitioners who tried to follow the religious regulation literally with regard to handshaking. I also met Shi'i youth who contextualise handshaking by comparing the Dutch and the Islamic meaning of the practice. The Dutch convert Sarah was one of my interlocutors who pointed to the difference in meaning of shaking hands from the Muslim and the Dutch perspective. She said,

When I have a job interview or an assessment at work, well, if the person I meet for such a meeting offers his hand I do not refuse. There is a moment of doubt, but I do it [accept the hand] anyway. Religious rulings are clear, so there is no doubt about the impermissibility of shaking hands, but at the same time I feel no doubt about accepting or not accepting that hand. I accept it. I do not take the initiative by offering my hand, but no, in the Netherlands one cannot refuse an outstretched hand. Then you ask for gigantic problems. Look, in Iran shaking hands has a different meaning. Here it is just routine, one forgets the persons one shook hands with. Only when you do not consider it routine you put an emphasis on the act. That gives it meaning. Our society is organised differently. If there is no other way, a Muslim should choose the best option by not making a fuss of it.

For Sarah exactly the aspect of routine, the unconsciousness of the act of handshaking for non-Muslims, makes her aware of the differences in meaning in Islamic understanding and in Dutch thought. She therefore reasons that the verdict of her *marja' al-taqlid* assumes other intentions than one encounters in daily Dutch life, which gives her leeway to apply the rule as she deems appropriate in the given circumstances.

177

Abbas, a devout Muslim, stated that shaking hands is not a very delicate issue for him because he reasons that one's intention counts more than the actual practice, as illustrate his words,

When I meet a girl or a lady I do not take the initiative by offering my hand when another way of greeting can suffice, but when she offers her hand to show respect to me, it becomes difficult to refuse. I can try to explain the reason for not accepting her hand, but the question is whether giving such an explanation results in a positive or a negative feeling of that lady. So I think it is better to accept her hand.

Abbas justifies his way of acting by emphasising that in these situations he never has a bad intention. He assumes that his being responsible for an action depends on his intention. Abbas knows the Dutch mores and he understands that shaking hands is intended as a respectful way of greeting. He is also sure that if he accepts an outstretched hand it does not have any indecent purpose.

Sarah and Abbas reason that handshaking in the Dutch environment has a different meaning. Therefore, for them as Muslims the emphasis is more on representation, which means that their pure intention is more important than the act itself. Their approach creates space for adaptation to the Dutch custom. This brings me to the viewpoint of the Afghan dentist Rafi, who, like Sarah and Abbas, stressed that the intention of the act determines its permissibility. Unlike my other interlocutors, however, he does not take into account religious verdicts about shaking hands and rather relies on his own logical reasoning, which we saw him do before in the context of serving alcohol to non-Muslims. According to Rafi, the rules of conduct of his *marja'* should be supportive to laypeople, since, as he said, 'Islam is not meant to complicate life.' He does not regard religious rulings essential in this regard, as is proved by my conversation with him about the topic of handshaking.

Rafi: How *taqlid* relates to the issue of shaking hands? That is not a problem for me. I shake hands.

Annemeik: So for you shaking hands is no problem?

Rafi: No. I think it is a non-issue. One should shake hands here.

Annemeik: But in fact that is not in accordance with religious rulings ...

Rafi: Mmm, for me it is not a problem. I simply shake hands. Look, with every act one should consider the intention of that act. I make my own interpretations, and only in case of doubt I consult his [my *marja' al-taqlid*'s] website. And according to my interpretation, there are [in Islam] more essential things than shaking hands. [...] I just do not understand people who refrain from shaking hands. How can they consider that an issue in Islam?

Considering handshaking a routine act in the Netherlands, Rafi wonders why religious leaders and fellow practitioners make an issue of it. In Rafi's understanding, a Muslim has a duty to decide what is the best way of acting in a certain situation, that one's intention with an act is more important than the act itself, and that, finally, the issue of (not) shaking hands is basically insignificant in the Dutch context.

Shaking hands as counter-representation

Finally I found people among my interviewees who had deliberately decided to take the initiative to always shake hands in encounters with Dutch people. Their decision to do so was motivated by the desire to counter the representation of Islam as a hostile religion. Raady was one of them. He is an Iraqi former student of the Najaf *hawza* in his mid-thirties who is now working in the Netherlands for a Shi'i human rights foundation. When at the end of our interview Raady offered his hand to say goodbye I looked puzzled at him, knowing him as a devout and strict practitioner. When I asked him if he always shakes hands he answered,

I should not do so, but I now find it no longer respectful not to shake hands with Dutch women. Ten years ago I behaved differently. I told Dutch people that my religion did not allow me to shake hands. But after Bin Laden the

mentality changed. People started looking strange at Muslims. And, well, these events certainly also changed me.

Raady expressed that the Dutch attitude towards Muslims and towards typical Islamic behaviour, such as not shaking hands, has changed dramatically. Dutch have become suspicious, even in personal contacts. Raady further explained to me that he did not want to be associated with the ideas of Bin Laden in his fight against 'the West'. Instead, he wanted to represent 'his Islam', a peaceful and tolerant religion. This led him to reconsider his practice of not shaking hands with Dutch women.

179

I finish this section with the highschool student Yasmina whom we already met in the prayer-section of this chapter. Despite her young age, the gentle Yasmina has a very good image in mind of how she wants to represent Shi'i Islam, as her words illustrate,

I do not see it [shaking hands] as a problem. I just want to show that we are open to others. I really do not want Dutch people to link Islam with the television images of the man who refuses to stand up in court or of the imam who did not shake hands with the Dutch Minister. I regret such a way of acting. I shake hands. Shaking hands is a normal thing here. We are living in the West and we should demonstrate that we are willing to adapt when possible. I want to show that it was inappropriate behaviour of the man we saw on television.

Yasmina learned from her mother that behaviour and the way one interacts with people is the most important in Islam. Being friendly to Muslims and non-Muslims, being open to others and not making distinctions between people. Shaking hands in Yasmina's view belongs to this open attitude and has become increasingly important as a way to counter negative representations of Islam.

Ramadan

Ramadan, month of piety

180

Ramadan is the ninth month of the *hijri* calendar.¹³⁹ *Ramadan* owes its importance to the fact that it is believed to be the month in which the first verses of the Qur'an were revealed to the Prophet Muhammad. One of the most special nights of the month is *laylat al-qadr* (night of decree/destiny), which takes place in the last ten nights of *Ramadan*. It is believed that the Qur'an - or at least its first verses - was revealed to the Prophet during this night.¹⁴⁰

For Muslims *Ramadan* is a yearly recurring period to train the self in terms of discipline and control by abstaining from sensory and sensual pleasure during daytime. Observing the duty of fast during *Ramadan* involves abstaining from food, drink, smoking and sex between sunrise and sunset. Just after sunset, fast is broken by a meal called *iftar*. The end of the month of *Ramadan* is celebrated as *eid al-fitr* (sugar feast). Islamic manuals of the grand ayatollahs provide large numbers of *fatwas* about the details of fasting practices and especially on matters that invalidate the fast.¹⁴¹ *Ramadan* is also a month to feel compassion with the poor and to show gratitude toward God (Hallaq 2009, 234-235). More than just a period of fasting, *Ramadan* is a month of increased social, moral and pious commitment. In turn, it is a time in which God is said to reward good deeds and to forgive sins (Buitelaar 2002, 106-108, Schielke 2009b, S26).¹⁴² Believers mention the promise of Paradise as one of the most important motivations for fasting and perfect practice.

In terms of cultivating attitudes and creating a state of heart (Asad 1993, Mahmood 2005, 125), *Ramadan* is the pre-eminent month of dedicated religious practice, in body and in mind. In general the Shi'i Muslims I

139 The *hijri* calendar is the Islamic calendar, a lunar calendar that consists of twelve months and 354 or 355 days in a year.

140 There is no certainty about the exact date of *laylat al-qadr*; according to *hadith* it is either on the 19th, the 21st or the 23rd of *Ramadan*, but according to the website of grand ayatollah Fadlallah *laylat al-qadr* is on the 25th. See http://english.bayynat.org.lb/supplifications/ramadan_25thnight_ramadan.htm and <http://www.al-islam.org/ramadhan/> (accessed on 9 July 2013).

141 See websites of the grand ayatollahs Sistani, <http://www.sistani.org/english/book/48/>, Khamenei, www.leader.ir, and Fadlallah, <http://english.bayynat.org.lb/fatawa/s3ch1.htm> (accessed 30 December 2013).

142 See website al-Islam of the Ahlul Bayt Digital Islamic Library Project, <http://www.al-islam.org/ramadhan/> (accessed 10 July 2013).

interviewed consider *Ramadan* as a period in which reasoning about the flexible application of rulings that were discussed in the previous sections of this chapter is pushed aside. This way of reasoning makes place for a strict following of religious prescriptions and proper Muslim conduct. This confirms the argument of Samuli Schielke that *Ramadan* is a time of exceptional morality, in which moral norms are practised in a strict way and are not situated in specific practical conditions (Schielke 2009b, S28). My interviewees stressed the spiritual aspect of this month of fasting, which they found as least as important as abstaining from bodily pleasures as eating, drinking, smoking and sex. Starting the day with the *niyya* (intention to embark on an act of worship) of fasting to them means pursuing the idea of the ‘perfect man’, in body and soul.

181

Priority to perfect practice and a pure state of mind

Of course he was willing to be interviewed by me as part of my research, Majid let me know after I contacted him by e-mail, but the interview could only take place after *Ramadan*. So we met two weeks later, one week after *eid al-fitr*, which marks the end of *Ramadan*. Majid is a Pakistani man in his thirties who earns his money as a photographer. Until a few years ago he was not a very serious practitioner and ‘did everything that Islam forbids’, he told me. Now he was trying to compensate for his past sins by living strictly by the rules. The way he greeted me when we met showed that he clearly had his own interpretation of strict practice. He walked towards me with two outstretched hands and he behaved not reservedly but quite freely in comparison to other male interlocutors.

When at some point in our conversation I asked him why he wanted to postpone the interview until after the end of *Ramadan*, he said that *Ramadan* was not an appropriate month for such encounters and revelations because

Ramadan is the holiest of all months. Eleven months you can live your own life just as you like, but Ramadan is the month of faith. Then you should, so to speak, put Satan in a jar. It is the month of piety and strict religious performances and dedication.

During the month of *Ramadan* Majid wanted to avoid any occasion that could potentially distract him from religious practice and from the state of mind he strived to reach, at least during this holy month. Shaking hands and having a frank conversation about his religious practice in past and present did not fit in this endeavour.

182

Other interviewees also argued that the month of *Ramadan* is a month of perfect religious practice as well as a period that brings a strong sense of spirituality. Living among non-Muslims means that Muslims find no traces of the month of *Ramadan* in the overall behaviour of the people in public spaces. Sharing the mood and spirit of *Ramadan* is therefore limited to Muslim space, which for most of my interviewees is the private domain. Sharing the spiritual meaning and practice of *Ramadan* with fellow Muslims appeared to be an essential element in 'living *Ramadan*' for my interlocutors. Lacking Muslim company in their eyes reduces *Ramadan* practices to the bodily aspect.

Pardis told me about her experience, notably in her home country Afghanistan. Until the age of eight, Pardis had been living in Kabul. Her family left the country when the Taliban regime came to constitute a direct threat to Shi'i Muslims. Thirteen years later she returned to Afghanistan as a student of a Dutch university, for an internship at the Dutch embassy in Kabul. She was only allowed to leave the compound of the embassy under the guardianship of Dutch militaries. *Ramadan* fell in the period of this internship. Pardis reported about having an inner struggle in those days,

I was in Afghanistan, but I was with only Dutch people, dinner time 7 p.m. They were all diplomats, and those are not cordial people. There I found it really hard to start fasting. I thought, "Will I do it? Why, or why not? What is my conviction? What moves me?" Fasting for me is really finding inner peace, it is to purify my mind and body of everything I feel and see and hear around me. Just feeling pure and good. [...] So it is much more than not eating and drinking. That is not the problem, every girl knows what it is to follow a diet with very limited food and drinks. But fasting is much bigger than that. And then I thought, "I will not reach that state here." So I decided not to fast last year in Afghanistan.

Pardis' account clearly reveals that *Ramadan* is more than refraining from eating and drinking. She expressed how Muslims pursue a pure state of heart and mind, which requires a supportive environment to achieve and experience this state of being. The harsh Dutch daily reality and its manifestations in words and gestures may not always contribute to this, which makes the companionship of like-minded indispensable. Strict religious practice is the first prerequisite for achieving the state of purity and inner peace. What is to be understood by strict practice?

A practice is considered strict as long as it does not break the fast. I came to this understanding during my conversation with Bayan. Her usual way of reasoning is that performing a *haram* act can be 'neutralised' by having good intentions with that act. This way of reasoning provides space for negotiation in daily life but apparently not during *Ramadan*, as is testified by her saying 'Do you know when I absolutely do not shake hands with any men? When I am fasting. Because it can break my fast. During *Ramadan* everything should be really correct. I do not want my fast of a whole month becoming void by such a small minus.' In everyday life Bayan decided to shake hands from the conviction that no feelings are aroused, that it is not her intention to arouse feelings, and that for western people and non-Muslims handshaking is not an intentional practice. *Ramadan*, however, is not everyday life. Any deviation from the rules can break the fast. *Ramadan* leaves no space for negotiation. When I asked Bayan if she does morning prayers on the prescribed time during *Ramadan*, a practice she does not manage to perform during the rest of the year, she answered, 'No. But performing morning prayer at a later moment of the day cannot break my fast.'

There are, however, exceptional reasons to break fast for a day or even to decide not to fast for the whole month of *Ramadan*. For example those working in health care and having the responsibility for other people's health let their professional responsibility prevail over their personal religious duty. Mona, who is a medical doctor in her professional life, stops fasting and starts eating and drinking when she discovers that the fasting affects her alertness or the firmness of her hands while working. Every year Mona has the intention to make up for the missed fasting days, yet up till the moment of our interview she never succeeded to do so. The decision not to fast may also relate to worldly affairs with a long-lasting effect on one's life. Examination periods for school

or university, for example, may be a reason not to fast. During her years of university study, Parisa, an Afghan woman in her twenties, now working as a psychologist, 'decided not to put [her]self in extra difficult conditions. My parents were not in favour of my taking part in *Ramadan* in such periods. They even discouraged it. But the last two years [after she graduated] I followed *Ramadan* again. [...] I do not make a big issue of those missed days.'

For most of my interviewees *Ramadan* is a month in which one seeks the company of fellow believers as much as possible. The focus on personal perfect practice means that during this month there is no question of negotiations for the purpose of contributing to a positive image of Islam. As a result, there is a tendency to interact with non-Muslims less intensively during *Ramadan*.

Conclusion

In this chapter I discussed Shi'i religious practice in everyday Dutch life, more precisely religious practice according to the regulations of the *maraji' al-taqlid*. The chapter includes both worship practices and social affairs. It begins and ends with worship practices, namely daily prayers and Ramadan. In between come the topics identified by my interviewees as difficult in social life, in the sense that it is difficult to exactly apply the rules of their *marja'*. These subjects are music, alcohol and shaking hands. At first glance this seems a somewhat illogical structure. After all, in the codes of conduct of the religious authorities, the first part consists of the *'ibadat*, worship practices, and the second part of the *mu'amalat*, worldly affairs like social interactions. The logic behind the structure of this chapter is the distinction between everyday and not everyday life. Everyday life is only eleven months per year. Eleven months during which practising religion for Shi'i youth means that two equally important objectives are to be served, namely personal religious practice and a positive representation of Islam. This requires personal judgements, considerations and negotiations. The 12th month, *Ramadan*, is not everyday life. During *Ramadan* personal religious practice is much more important than the representation of Islam. As a result, options are weighed differently.

In these concluding remarks, I will first give my findings for each section followed by a general conclusion at the end. Daily worship practices consist

of performing the five daily prayers. It became clear that, although the performance of prayer and purity rituals are bound by strict rules, there is flexibility regarding the moments at which daily prayers are performed. According to Shi'i religious rulings it is allowed to combine prayers, with a day having three time slots during which the prayers must be performed. Many of my interlocutors use this flexibility because it allows them to choose their prayer space. Some prefer to pray in the space of their private home at all times, an environment where they have peace and concentration and where they can easily meet the norms of ritual purity. Perhaps the most important reason for choosing to pray at home is not having to justify one's religious practice to their surroundings. Others, however, prefer to adhere strictly to the given prayer times. They pray in a public prayer room at school or college, making themselves identifiable as Shi'i Muslims and thus braving the threat of a discussion with fellow Muslims who hold to Salafi beliefs. Some of my interlocutors turn their office into a prayer room for the time of prayer, taking care that their non-Muslim colleagues are not aware of their performing an Islamic practice, for example by hanging a sign 'meditation' on the door.

185

In the second part of the chapter I discussed three topics that my interlocutors identified as problematic in everyday life when it comes to abiding by religious regulations: music, alcohol and shaking hands. I tried to discover why these issues are problematic and how my interviewees deal with them. With regard to music I found different approaches towards the act of listening to music and the act of performing music. The difficulties my interviewees referred to were, first, that the opinions of the religious authorities on this topic differ considerably, and second, that the regulations are not quite clear with regard to forbidden and permissible genres. This creates confusion and debate. With respect to listening to music I found a variety of personal practices and justifications among Shi'i youngsters, from complete abandonment to fairly unrestrained listening to music and everything in between. The phenomenon of Muslims performing music for a Dutch audience, for the sake of Islam or to counter stereotypings, leads to debates about the permissibility and the effects, ending up in two viewpoints. One viewpoint approves this, because it positively represents Islam in front of a large Dutch audience. The other disapproves as the performers violate religious norms on many fronts, which in the eyes of a large number of commenters nullifies the intention to contribute to building a

positive image of Islam. One of the debates I discussed additionally addresses threats to the continued existence of the Islamic tradition, such as the violation of Islamic values and the negative influence on individual belief and practice.

186

As regards the application of rulings on alcohol, my interlocutors identified problematic situations in two separate domains: jobs and social life. In choosing a job, many youths strictly adhere to religious regulations and avoid taking a job that might involve trading in alcohol. Other youngsters adopt a more lenient approach with regard to abiding by religious norms in the working environment, making a distinction between professional and private life. Some reinterpret religious regulation by reasoning that trade in alcohol is part of the overall Dutch economic system that reduces the relevance of Islamic legislation in this field. These two positions lead to ongoing debate among Muslim youngsters.

The problem with alcohol in social life is that Shi'is are not allowed to eat and drink from a table with alcoholic drinks on it. In Dutch company this often leads to situations that require negotiation. My interviewees will never ask their Dutch friends or colleagues to refrain from drinking alcohol because of their private beliefs. They seek a solution which allows them to abide by religious rulings unobtrusively. Those solutions are mostly inventive and practical, often without their non-Muslim party noticing anything, as I illustrated in some telling examples. If there is no practical solution, my interlocutors choose to serve the image of Islam in a positive way by not drawing attention to their awkward - from an Islamic perspective - situation. In such cases, they reason that committing a forbidden act – being at a table where alcohol is served - will be compensated because of one's good intention in that particular situation.

The practice of shaking hands is an encounter of two moral systems that for my interlocutors entails a daily recurring negotiation between correct Islamic practice on the one hand and representation of Islam in a positive way on the other. Shi'i youth are aware of the opposite meaning of shaking hands for Muslims and non-Muslim Westerners. Due to the New York attacks of 9/11 in 2001 and a Dutch controversy about (not) shaking hands in 2004, the issue became extra sensitive. According to my interlocutors, strict adherence to the regulations on this point is harmful to the image of Islam. Some have abandoned their attempt to follow the rules strictly, albeit reluctantly and with

doubt. Others have developed personal strategies, for example by making distinctions between the work environment and private life or between strangers and acquaintances. Again others contextualise the practice of handshaking by taking into account the Dutch and the Islamic meaning of the practice and act according to the specific situation they find themselves in. Some decided to shake hands, despite religious regulation. These interviewees are motivated by the desire to counter the representation of Islam as a hostile religion.

187

In the practices described above, especially with regard to alcohol and shaking hands, we see that young Shi'is often apply religious regulations in a more lenient way than presumably intended by their *marja' al-taqlid*. They reason that performing a forbidden act can be neutralised by having good intentions with that specific act. Living in Dutch society they experience that building a positive image of Islam sometimes requires a less strict application of religious precepts. Those who listen to music put forward the argument that this does not interfere with their religious practice. It has become clear that a more lenient personal interpretation in all cases that I have described is a choice that results from conscious personal deliberation.

I finally discussed *Ramadan*, the month of perfect religious practice and dedication. Perfect practice is not limited to not eating, drinking and smoking during the day. In fact, my interlocutors consider that part of Ramadan 'the easy part'. Much more difficult is the pursuit of Muslim perfection in both state of mind and practice. In this endeavour being in Dutch public space and among non-Muslim people is potentially disruptive. As a result, *Ramadan* is also the month in which social life is mostly lived among fellow Muslims. Indeed, in order to avoid as much as possible the difficult situations encountered in social life with Dutch people, like shaking hands and being in the presence of people who consume alcohol, social interaction with non-Muslims is limited. Situations in which it is necessary to negotiate between personal religious practice and building a positive image of Islam are avoided whenever possible. *Ramadan* is about perfect practice, with the promise of Paradise as a first motivator.

In the introduction of this chapter I mentioned that in European liberal societies religious belief is supposed to be a private affair and that religious practices should not be demonstrated in a conspicuous way in the public

sphere. Overlooking the way in which Shi'i youth practice their religion and apply religious prescriptions I conclude that they make their religious practices invisible for the non-Muslim Dutch people on their own initiative, without any deliberate discussion or protest, without making claims. An exception is the wearing of the headscarf, the topic to which the next chapter is devoted.

5

Negotiating Islamic modesty

As part of my research, I spent some weeks in Qum, the major centre of Shi'i learning in Iran, during spring 2010. My programme included a meeting with *sayyid* Riyadh al-Hakim, the son and *wakil* of one of the four leading *maraji' al-taqlid* in Najaf, Iraq. In his position as representative of the *marja'iyya* in Najaf, al-Hakim had paid several visits to the Netherlands in the past. Hakim expressed that his biggest concern for Shi'i youth in the Netherlands was the free mixing between boys and girls. He said, 'According to Dutch law, segregation between boys and girls is unlawful, but our youths understand that mixing in public space is impermissible. We tell them that Dutch people will certainly be respectful to them and will even take them as an example when they live a moral life, respecting religious prescriptions.'

According to Islamic law, living a moral life needs boundaries between the two sexes. Public interaction between men and women is only possible if it is desexualised, regulated and controlled (El Guindi 1999, 56). Central to the idea of morality is the notion of modesty, both in appearance and conduct. The Islamic term generally used for modest dress and proper behaviour is *hijab*. In the various countries of origin of Shi'i Muslims, which all have their own historical and social developments, opinions may differ on what modest dress looks like and how boundaries between the genders should be observed. In the present chapter, Islamic legal and ethnic discourses meet the western secular discourse. Both differ enormously when it comes to modesty norms, as in Dutch society there is free mixing between men and women, and norms regarding modest dress and conduct depend on the specific context and place. In such an environment where fixed rules of appearance and conduct are lacking, practising *hijab* does not only have religious significance but also gets other meanings. My aim in this chapter is to find out which meanings *hijab* has for my female interlocutors and how they practise *hijab*, both in appearance and in conduct. I will approach this issue from the three dominant and for this study most relevant discourses - religious-legal, ethnic, and secular-Dutch - and see what the interplay is between them. My special interest concerns how young women exhibit agency by actively and selectively using these three discourses.

The western notion of agency has long been understood in terms of a binary model of resistance versus submission. Mahmood, whose work is based on her study of an Egyptian mosque movement where women cultivate piety as a form of empowerment, considers this to be a narrow approach to the concept. She opens a new perspective onto agency by proposing to look at it as a capacity for action that is historically and culturally specific, and that is located within the power structure of a discourse and not outside it (Mahmood 2001a, 203, Mahmood 2005, 14-15). Viewing agency this way might reveal that what from a liberal point of view is considered 'passivity' or 'docility' might well be a form of agency. This type of agency, however, can only be recognised when studying the multiple ways in which one *inhabits* norms (Mahmood 2005, 15). Mahmood introduces the concept of the 'docile agent' for women 'whose desires affect and will have been shaped by nonliberal traditions' (2001a, 203) and whose aim is to live a pious life with total submission to religious discipline. For Mahmood, liberal goals are incompatible with 'the pious discourse.' However, as Schielke points out, in complex social contexts such incompatibilities are not absolute, since people, also in predominantly Muslim countries, are likely to combine religious and secular influences (2009a, 161).

I will build on the insight of Mahmood that agency is not as a matter of course connected to the liberal agenda of freedom and autonomy, that agency may have different manifestations, and that living up to religious norms may be a form of agency. In contrast to Mahmood, and following Schielke's approach, my aim is to demonstrate that young pious Shi'i women in the Netherlands, whose identities are shaped by Islamic and western gender discourse, navigate between these discourses. I will argue that these women embrace the idea of Islamic modesty but that, instead of passively accepting the authoritative norms, they develop a personal 'standard of modesty' by negotiating Islamic, ethnic and secular modesty norms and redefining them.

This chapter consists of two parts. The first part discusses veil and dressing style, the outward aspect of *hijab*. The second part addresses the behavioural aspect of *hijab*, with a focus on social contacts between the two genders.

Outer appearance: the hijab

A disciplined self

Religious prescriptions

192

Contemporary religious regulations regarding the appearance of women in public space pay particular attention to the wearing of *hijab*.¹⁴³ In Shi'i legal discourse the notion of *hijab* has only received special emphasis in recent centuries.¹⁴⁴ Mir-Hosseini describes how in the 19th century, the time of Muslim encounters with colonial power, the phenomenon of *hijab* emerged prominently in Islamic discourses and became an element of faith and a marker of Muslim identity. Until then women's dress was considered a matter of culture and customary practice (Mir-Hosseini 2007b, 2). Ever since, religious scholars have ruled that wearing *hijab* is a religious obligation that is stipulated in the Qur'an.

Religious edicts of the *maraji' al-taqlid* state that proper *hijab* involves: a covering of the hair, neck and bosom; modest dress, loose and not transparent; no use of make-up. A *fatwa* about *hijab* of grand ayatollah Sistani reads as follows,

Question: What is the best modest dress according to Islamic laws?

Answer: In the present time, the context of *hijab* is the modest covering of a Muslim woman. A woman should not show her beauty or adornments except what appears by uncontrolled factors such as the wind blowing her clothes, and the head covers should be drawn so as to cover the hair, the

143 The most widely used term for the Islamic veil, *hijab*, in the Qur'an does not actually concern women's veiling. In the Qur'an, *hijab* rather means 'curtain' or 'separation', as used in sura 33:53, in the sense of separating the household of the Prophet from outsiders as a form of protection. The use of the veil as a cover for women is supposed to have gradually developed only at a later stage when the Islamic community expanded and there was a shift of loyalty and identity from tribe to faith (Ahmed 1993, 55-56, El Guindi 1999, 154-156).

144 According to Ziba Mir-Hosseini, classical Islamic jurisprudence addressed the issue of covering in two contexts. First, there are rulings for covering the body during prayers, saying that men should cover the area between the knees and the navel, and that women need to cover all parts of the body apart from hands, feet, and face. Second, classical *fiqh* includes rulings that govern a man's gaze at an unmarried woman. The first type of rulings belong to the *'ibadat* (ritual/worship acts), and the rulings regarding the gaze fall under *mu'amalat* (social acts) (Mir-Hosseini 2007b).

neck and the bosom. Islam has no fixed standard as to the style of dress or type of clothing that Muslims must wear [*italics mine*].¹⁴⁵

The rules of other ayatollahs are almost identical with the *fatwa* of grand ayatollah Sistani.¹⁴⁶ In more detailed Q&A sections about *hijab*, one finds *fatwas* about the use of make-up, perfume, adornments, high heels and other pieces of clothing. In general religious authorities state that such items are permitted, provided they are not used as beauty items with the intention to attract attention of men or to cause temptation.

How do the religious authorities describe and represent western societies in relation to Islamic modesty and *hijab*? Grand ayatollah Khamene'i argues that Islamic *hijab* is better for women than the 'obligatory lack of *hijab*' in the West, where women 'are humiliated' because they are 'used as an object of pleasure' and 'should wear make-up to make men admire them.' He argues that the western lack of *hijab* is an insult to women, whereas wearing *hijab* is an honour for them.¹⁴⁷ Khamene'i thus resists western discourse by countering the arguments used in the West against the duty of wearing *hijab*. However, he does not address the position of the individual Muslim woman in a western society.

Grand ayatollah Fadlallah speaks to women on an individual level by stating that western 'environments [...] threaten the sanctity and decency of a female Muslim.' He argues that 'a female Muslim must establish a dignified image of herself, in the sense that, when communicating with others, and without having to explain the principles, regulations, and customaries that govern *hijab*, people around her would adjust their behaviour in her presence.' Fadlallah furthermore points out that Muslims have the duty to guard themselves and 'develop an immunity against perversion and deviation', and that 'a set of laws' helps them to control their desires and build moral commitment.¹⁴⁸

145 See website of grand ayatollah Sistani, <http://www.sistani.org/english/qa/01208/> (accessed 15 November 2014).

146 See websites of the grand ayatollahs Fadlallah, <http://english.bayynat.org.lb/womenfamily/hajl.htm>, and Khamene'i, <http://www.leader.ir/tree/index.php?catid=38> (accessed 16 November 2014).

147 See website of grand ayatollah Khamene'i, http://english.khamenei.ir//index.php?option=com_content&task=view&id=1233&Itemid=12 (accessed 16 November 2014).

148 See website of grand ayatollah Fadlallah, http://english.bayynat.org.lb/Hijab/Hijab_Social.htm#VGz6J9Yo1yQ (accessed 16 November 2014).

The religious authorities, thus, point at three aspects of *hijab*. First, *hijab* as a religious duty. Second, *hijab* as a marker of Muslim identity that distinguishes Muslim women from non-Muslim women in terms of appearance and morality. Third, *hijab* as a means to build moral commitment to the Muslim code of conduct.

194

Constructing a Muslim self

Many of my interlocutors were brought up with the belief that the veil is an expression of piety and modesty. 'A good Muslim woman wears a veil.' Their mothers go veiled, as well as the women in their ethno-religious community in the Netherlands. For many girls donning the veil was an unquestioned prospect, belonging to the expectations of their parents. Bayan started wearing the veil at a young age, even before the age of nine that religious regulations prescribe.¹⁴⁹ She has vivid memories of that period, as her words testify,

We went on holiday to Iran, where my sisters are living, and I very much wanted to wear a headscarf. A girl that age is required to be veiled in Iran. I was not allowed to be in public places without a veil, while I was only eight years old. But I really wanted it myself. My sister went to buy things for me: scarves, pins and so on. I felt so proud! When we were back in the Netherlands, I occasionally started to wear it and I began to get used to it. Once, my friends came to pick me up for rollerblading and I forgot it. Halfway down the street I thought, "Hey, I forgot something! Is it on my head, or is it not?" Thus, my headscarf became more and more natural, and I started to seriously wear it. After that, I started praying and fasting, even though I had not reached the age yet. I just wanted to participate [in the religious rituals and acts].

Bayan remembers that, once back in the Netherlands, her parents granted her time to really get used to wearing a headscarf. By not pressing her every day to

¹⁴⁹ The grand ayatollahs recommend girls to start wearing a headscarf when they reach the age of nine lunar years (eight years and nine months). See websites of the grand ayatollahs Sistani <http://www.sistani.org/english/book/46/2023/>, and Fadlallah, <http://english.bayynat.org.lb/QA/qa.aspx?id=12> (accessed 17 November 2014).

wear the veil, Bayan in a playful way went through a process of becoming a veiled girl and feeling confident with it. Her Dutch girlfriends and her Dutch environment also became gradually accustomed to a veiled Bayan. After she had become used to her veil, her parents started up a process of molding a Muslim self. They encouraged her to participate in Muslim practices. She was also taught that being a veiled girl meant that some kinds of behaviour were no longer appropriate for her. Bayan told me that once she was wearing the headscarf on a daily basis, her father started forbidding her to play with boys and to ride a bicycle, arguing that both activities did not meet the norms of proper female behaviour.

Amina also started veiling when she was very young. She said the following about her decision to put on a headscarf,

Already at a very young age I was confident that this [Islam] is my path. I was not even eight years old, but even then I realised that there would be many things I would not share with my peers, my non-Muslim peers. Many things I would do differently, or not at all, but I felt okay about it. [...] School swimming, for example. I was already wearing a headscarf, and because school swimming is mixed, I did not participate. All other children would have felt lonely because they would no longer belong to the group, but for me it did not feel like that. I just thought, "I have made my choice." I saw no problem.

Amina told me that she was the only girl at school wearing a headscarf. Thanks to her confident personality at that time she never felt any doubt about her choice. Her parents encouraged her to start veiling well before the age at which Islamic law requires a girl to do so. Undoubtedly they did so to prevent her from participating in the mixed school swimming. In that preparatory stage they also started to explain to her that being a veiled girl would make her different from Dutch peers.

Although both Bayan and Amina emphasised that it was their own choice to start wearing the headscarf, it is obvious that their parents had a guiding role in making them willing to do so and in choosing an appropriate moment. The stories of the two women reveal that the headscarf serves as a means to create commitment to the modesty norms of Islam. As Mahmood argues, apart from

being a religiously prescribed practice the veil serves as a means for shaping a pious inner self, aiming at making the prescribed modest behaviour natural to their general attitude (Mahmood 2005). Indeed, once they were veiled girls, they were made aware of the distinction between the two genders and between Muslims and non-Muslims. At the same time they learned to act as religious agents, which involved being different from Dutch peers regarding dress and conduct.

'Because God tells you to do so'

Not all women wearing *hijab* today were motivated to start donning it when they reached puberty, though they grew up with the idea that the *hijab* was a natural outfit for a Muslim girl. Their initial resistance eventually gave way to motivation to start practising the *hijab*. One of my interlocutors who went through such a process is Iman. Her parents had prepared her from childhood for the *hijab*. Yet, she was 'rebellious', as she called it, and some serious attempts of her parents to persuade her to wear a headscarf failed. Iman told,

At the time, I was in the last group of elementary school, my mother said, "Try it, just for a short while." Well, I tried it but I did not want it. I did not like it. So I took off my headscarf. My father regretted this but he said nothing about that. And suddenly, only a few days before I went to secondary school, I became convinced of the need of the headscarf and started wearing it.

Iman's decision to start donning the veil was motivated by her fear that Final Judgement was forthcoming, based on rumours that greatly troubled her.¹⁵⁰ A printed paper of a friend of hers with apparently convincing arguments that Final Judgement was actually oncoming urged Iman to immediately make up her mind. Without hesitation she put on a scarf. As Mahmood describes, the emotion of fear motivates a person to act according to one's belief or is even a condition for pious acts (2005, 145). Iman continued,

¹⁵⁰ In chapter 3 I paid attention to the notion of Judgement Day in the life of my interlocutors and in relation to the practice of *taqlid*.

I thought, “Well, I am going to change my life now, very consciously.” And I am very, very glad I made the choice at that moment, because it is difficult to start wearing a headscarf when people have already seen your hair. [...] But I really had a puberty crisis. And during that time I took it off a few times, just to rebel, and from a wish to be like the others. This was when I was thirteen or fourteen, and the only thing I wanted was to show my hair. Later this no longer played any role. It became part of me.

197

In Islam, the hair of a woman has come to be considered as particularly seductive, which from a religious perspective reinforces the need to cover it. For Iman, covering her hair initially was like covering part of her ‘self’. It made her feel a different person, a feeling that was reinforced by her social environment, her Dutch friends, classmates and teachers, who asked her to put off the veil and ‘to become the old Iman again.’ She felt that her veil made her an outsider in the non-Muslim environment she identified with, and she wanted to continue being similar to her Dutch peers, both in appearance and in conduct. ‘I only had Dutch friends. I did not even know how I had to behave among Iraqi girls. I felt very different vibes with them.’ Iman had the feeling that the headscarf alienated her from a part of her inner self and her social environment. She found a way to cope with her feelings of resistance to the veil by developing the following reasoning,

At some point you learn to accept the idea that you should be fully covered because you are a woman, although continuously it raises questions why this is only a duty for women and not for men. But I think it is great that I can do it because I see it as a sacrifice. Every woman wants to be beautiful, every woman wants to be attractive, and every woman likes to do something with her hair and likes it when boys look at her, because that is a compliment. By wearing a headscarf you offer all those pleasures, just because God tells you should do so. That is a sacrifice, and only God knows how important that sacrifice is for you. And that will all be counted [on the Day of Judgement]. God will reward all efforts, so for me this is what I can add as an extra [for the Day of Judgement] and I am very happy with that.

The idea that she should deny herself so much just because she belongs to a

certain gender, the category of women, was difficult to bear for Iman. In her understanding being subject to this norm deprived her of a choice, a personal commitment. Eventually she reasoned that veiling was an individual opportunity that she would benefit from on a later, decisive moment, when God would judge her acts and decide about her afterlife. She found agency in the idea that her veil is a personal sacrifice for God, as testify her words,

It is inner *jihad*. That is called *jihad al-nafs*, jihad with yourself. It means fighting against your desires because God wants you to do so, because you want to follow his rules, because you like to live in a way that pleases God. [...] God looks at how you live with such ordeals. [Coping] with your own desires, for example, that you would love to walk outside with loose hair in the wind and a short skirt and with the people whistling at you, you know? Every girl has such experiences. Every girl wants such experiences. If you fight such feelings with God in your mind – not with your father or your family or the honour of the family in mind, like many people tend to think – if you fight that with God in your mind then it is for good reason, then it will be counted, like I just said.

At the time of our conversation Iman had been wearing her headscarf for about ten years. She explained how she over the years had increasingly realised the different ways in which the *hijab* put restrictions on her, compared to Dutch female peers and to Muslim boys. She explained,

One of the changes and developments of an adolescent woman is her own sexuality. How does one experience this sexual development, and how do others around her experience the same process? I observed that I actually developed just like the girls around me, but the girls around me have more freedoms. Well, that makes the situation very different. At that point I realised, although I love to wear my headscarf for God, [...] that it has a side effect: it makes me an a-sexual creature. This is a struggle, because of course I also want to be attractive. And I know that I could be attractive, but that would not quite fit with my headscarf. Being attractive and wearing a headscarf at the same time, no, that is very difficult. I think that for guys it is much easier in this respect.

As regards her comparison with Dutch female peers, Iman was able to accept the difference with her friends, reasoning that she and her Dutch friends with regard to modesty were subject to two distinct discourses. It took her much more effort to accept the gender distinction made within Islamic legal discourse, in which she as a woman has the duty of covering a part of her self. She developed the following reasoning,

199

Hijab is not only the headscarf. It is much more. The headscarf is the visible part of *hijab*. The rest is behaviour, and that also applies to men. Yet for boys it is harder, because as a woman with a headscarf you automatically give a signal to boys, to men – sometimes without noticing and sometimes without intending - a signal, for example, that some jokes are inappropriate to make. [...] The veil creates a certain distance. Boys need to find a different way to maintain that distance, because the same rules also apply to them. They may go too far in friendships either. But in the absence of a visible characteristic they must find another way to give such signals. In fact, it is more difficult for boys. If you look at it that way, I am really very grateful for the headscarf.

Iman eventually found logic in Islamic rulings by reasoning that the female headscarf is a useful tool for modest behaviour that boys are lacking, which in her eyes returns the balance between the two genders. Unfortunately in practice boys do not live according to the rulings given in the Qur'an, she immediately added. If boys indeed would follow the Qur'anic rulings, life would be much easier for girls who wear headscarves, certainly in the Dutch context. She said,

Imagine the situation in which two girls are sitting next to each other. One of them is wearing her *hijab* because God tells her to do so. Of course inside she wants to be attractive and sexy, but she puts God's will above her own desires. Next to her is a girl with a short skirt and everything. In my view it is morally incorrect if a man who claims to adhere to Islamic values rewards the woman in the short skirt with attention, by looking at her, thus making the Muslim woman, the covered woman, feel that her veil is a kind of punishment. Men can play a role in making the scarf acceptable for girls, just by making sure that they do not look so much at uncovered girls. A boy

should realise that the *hijab* actually also applies to him, to his eyes, in the sense of what he is looking and not looking at.

200 From every sentence of Iman we can conclude that wearing the headscarf to her is not simply a passive, docile act. On the contrary, her submission to the will of God, and thus to the body of legal prescriptions (*fiqh*), involves an intellectual effort to balance discourses.

Style of clothing

The veiled women among my interlocutors consider their headscarves as an expression of religious identity and commitment. Yet nearly all of them also feel the need to express their individuality. One of the ways to do so is the way of self-styling. I saw a variety of fashion styles and different views on what Islamic dress entails. Choosing a specific style of dress is a way for young women to express various sides of the inner self, reflecting their being subject to religious and ethnic *hijab* discourse, albeit in a way that is modern and fashionable. Moors notes that veiled Muslim women in Dutch public space inescapably bear the burden of representation of Islam, which makes them feel responsible for presenting a positive image of Islam. In this respect, young female Muslims want to distance themselves from the stereotyping image as being dull and oppressed. Instead, they want to express autonomy and agency, and they do so by means of what Moors calls ‘embodied aesthetics’ (2009, 195-196).

Religious prescriptions do not provide fixed standards about the type of dress or the style of clothing. Except for the face and the hands, a woman’s body should be covered and not reveal her physical form, is the general idea. Extravagant or flashy dress and abundant use of make-up are rejected because this might catch the attention of men. The principle behind this Islamic legal point of view is that women should avoid drawing any attention to their femininity, either in appearance or in movement.

My female interlocutors added to this that they are supposed not to attract too much attention to their femininity nor to their Muslimness by looking too different from the public in general. They mentioned *niqab* (face veil), *abaya* and *chador* (loose black robes that are worn as a cloak) as styles of dress that are

customary in their homelands but not appropriate in the Netherlands. As Anfal said, 'In Iraq we do not just wear a headscarf but also a long black *abaya*, a garment covering your body from head to toe. The headscarf and wide, opaque clothing are a mandatory rule of faith, but the *abaya* is an Iraqi custom. In the Netherlands we continue to wear the headscarf because it is a rule of our faith, but we remove the *abaya* because that is an Iraqi local custom.' According to her statements, the long black homeland garments as those mentioned above turn Muslim women into overly striking appearances in Dutch public space, which would reverse the meaning of *hijab*.¹⁵¹

Some of my veiled interviewees want their clothing to be only an expression of their religious self. They wear loose fitting trousers, blouses and sweaters in discreet colours, bought in Dutch stores. Following the reasoning of 'being inconspicuous' among the Dutch people in their opinion involves that correct *hijab* practice anyway means adaptation to western clothing customs. Other interviewees wearing the headscarf consider their appearance an expression of their individuality. They experience a challenge in developing their own style of clothing that reflects western fashion trends within the limits of modesty. One of them, Bayan, stated that in Islamic jurisprudence 'only some guidelines are given' about clothing. Within 'her' Iraqi-Shi'i community, however, there are unwritten rules on what is considered correct and incorrect dress. When buying clothes, this standard is in the back of her mind. However, within this dress code she has developed her own style that follows the latest fashion trends. She told,

[I take into consideration] the opinions of Muslim people, but these correspond to the way I personally want to dress. The Iraqi community in [Dutch city] would not approve if I would wear something short, let us say when my bottom [in Dutch she said 'kont'] would not be covered. I do not like that myself either, so I do not wear such things. Maybe they find my cloths a bit too short or a bit too tight, but that does not worry me. If I think that something is suitable, if I find that it is loose and long enough, I wear it. [...] Look, I wear a headscarf and I want to present myself in the correct

151 The relevant *fatwa* of grand ayatollah Sistani states that 'if wearing it (the face veil) arouses disapproval by and dislike of the general public in a particular country [...], it would not be permissible to wear it over there'. See website <http://www.sistani.org/english/book/46/2066/> (accessed 20 November 2014).

manner. It would not be suitable to wear a headscarf with tight pants. [...] But when Iraqis say that something is too tight or too short, I say, "No, this is okay." When people say that it would be better to wear an *abaya* or a long dress, well, I am the one who sets the limits for myself. If I succumb to the wishes of others and to what they want me to wear, they will go further step-by-step until I become invisible. But I will not do that.

Bayan emphasised her attitude by telling how some years earlier one of grand ayatollah Sistani's Iraqi *wukala'* paid a visit to the Netherlands and to her family. During this visit her father and the *wakil* planned to pick her up at school one day. Bayan's remembrance of that visit is as follows,

I wore pants. My sister warned me beforehand to wear something different, for him, but I said, "No, I will not do that. This is me, this is how I am." I do not need to behave differently because he is here. [...] And indeed, he criticised me. He said, "You are a good girl, but your friend – my friend wore long skirts at that time – your friend, she dresses better." [...] And then I thought, "Sorry, this is how we live here."

The above statements clearly indicate how Bayan submits to the Islamic code of *hijab* and how at the same time she exerts agency in resisting the criticising authoritative opinions of religious scholars and of members belonging to her ethno-religious community. Interestingly, Bayan identifies with women of the older generation within her faith community as regards the spiritual experience of her faith. Yet, when it comes to self-representation she distances herself from them and identifies with Dutch peers, Muslim and non-Muslim. This is also reflected in her opening of a personal Facebook site on which she publishes a blog and presents herself as a 'fashionista-hijabista', showing pictures of herself in latest trend outfits, including a wide range of ways to style her veil, sometimes with a hat on top of her veiled head. On this site she mentions that she has featured in a number of Dutch magazines, representing the modern Muslim women's approach to clothing. Her motto is: *hijab* and fashion go together.

Aliye also pays much attention to her appearance. Unlike my Iraqi interlocutors, whose veils cover their hair completely, the scarf of the

Afghan Aliye is loosely draped, showing some of her hair. I met Aliye and her sisters during various gatherings. They were always clothed highly fashionably and colourfully. The headscarf, the clothing, and the abundant use of make-up and clothing accessories make them, in my eyes, beautiful yet striking female appearances in Dutch public space. Aliye's father, a religious scholar and a man of distinction in the Afghan Shi'i community in the Netherlands, often criticises his daughter for the way she dresses, I was told by Aliye. For him the Islamic standard is the *abaya* or the *chador*. Aliye said, 'By now he knows that this is how I am and this is how I want to be looked at [...] I do not perfectly meet the standards [...] because I cannot wear a long black cloak here in the Netherlands.' About her style of dress in daily life, Aliye said,

I think that I found a good middle way between western society and my religion. In a way I feel forced to make my headscarf unobtrusive through my dressing style. Not in the sense that I will show my body parts or that I will dress extravagantly, but I spend a lot of effort and care to create a nice outfit. By doing so, people will not immediately a nice outfit ensures that people see my headscarf as an accessory, as something that fits nicely with the rest. [...] Every woman wants to look nice. When you wear a headscarf the rest should fit with it. Not too short, not too exposed, not too tight. Some things I will never wear because that does not fit with my headscarf.

Aliye admitted that she likes to attract attention by her appearance. She also likes to get compliments on her dress and elegant scarf. 'When I meet someone for the first time, for example for a job interview, I want to present myself in the best possible way, because I want people to not only see my headscarf. I try to let them forget the scarf. My aim is for them to see and remember the person I am.' For Aliye, as for many Afghan women, eye make-up and lipstick belong to her daily appearance in public. Shi'i legal authorities say that women should not attract male attention by wearing make-up, perfume or eye-catching jewellery.¹⁵² According to Aliye's reasoning, moderate use of make-up, certainly in the Netherlands, does not attract special attention of men. Besides that, she explained, it is only her intention to be a nice appearance in public space and not specifically to be noticed by men.

152 See websites of the grand ayatollahs Sistani, www.sistani.org, Khamene'i, www.leader.ir, and Fadlallah, www.bayyinat.org (accessed 18 October 2013).

The reasoning of Aliye may be widespread among Afghan women in the Netherlands, but within Iraqi circles it would not easily be accepted. According to my observations, both in participant observation activities and in interviews, Iraqi women are very moderate in the use of make-up, if they use it in public space. Only during special occasions like weddings parties, when Iraqi women are not exposed to the male gaze because of partying in separated spaces, do they almost overcompensate this moderation by highlighting their femininity. I saw very tight, very short and very colourful dresses, extremely high heels, beautifully shiny heads of hair and abundant use of make-up during such an Iraqi wedding party.

The agency of Bayan and Aliye is evident from the way they carefully select the arguments with which they justify their choices. Simultaneously, they are also trapped in structures that limit their agency.

Different veiling interpretations

Ethnic veiling customs

Due to different historical and social developments in the home countries, religious prescriptions regarding veiling were locally interpreted in dissimilar ways. These different interpretations are reflected in the ethnic-Shi'i communities in the Netherlands. Stefano Allievi (2006, 131) in this regard points at a literalist Arab tradition in which veiling in accordance with religious rulings is common practice. At the same time, there is a non-literalist tradition in several non-Arab Islamic countries where veiling is rare, or only practiced in a mosque or during gatherings with a religious character. Yet, Allievi states, both interpretations consider covering a religious duty that is written in the Qur'an.¹⁵³ In light of this, the fact that all of my female interviewees followed the example of their mother and family when it comes to wearing or not wearing the veil in puberty or adolescence seems to demonstrate that besides

153 Since the mid-70s of the 20th century, Islamic veiling has regained popularity in the Islamic world. Apart from being a religious practice, it has acquired symbolic and political meanings. See for publications about the 'veiling movement' in Turkey, Egypt and Lebanon in the past decades Deeb (2006), El Guindi (1999), Göle (1996), Mahmood (2005). The situation with regard to veiling in Iran is somewhat different, since veiling became a legally mandated practice for women after the Islamic Revolution in 1979. See for example Mir-Hosseini (2007b) and Sadeghi (2008).

religious rulings also ethnic customs play an important role.¹⁵⁴ I will discuss both perspectives of veiling. First the strict norm, namely wearing the veil from the age of puberty, which is common practice among Iraqi Shi'is. Second, postponing wearing the *hijab*, which is customary mostly among non-Arab Shi'is, in this research mainly Afghan young women. I will also provide an insight into the power of social control and the powers that are at work when different veiling discourses meet.

The pressure of social control

None of my veiled interlocutors mentioned having experienced any coercion by parents to start wearing the headscarf. They perceive donning the veil as a personal choice and a commitment to faith and religious practice. Yet I wondered whether wearing the veil was in any way connected to disciplinary power from within the community. It is a well known principle that minority groups try to maintain their group norms and values, and that the endeavour to continue the ethno-religious tradition influences the behaviour of individual members of the group through processes of social control.¹⁵⁵

What would happen if an Iraqi girl were seen at school or on the school playground without her headscarf? Would there be any feedback from within one's community on such an act? When I asked Bayan about this, she responded laughingly, 'Oh yes, for sure.' Both Iraqi male and female peers would tell their parents, who in turn would report it to the parents of the girl, she said. Bayan stated that wearing a headscarf might feel like being a girls' own choice, as she herself declared to me earlier in the interview, but that at the same time it is considered a symbol of belonging, certainly within the Iraqi Shi'i community in the Netherlands. 'Within the community there is social control, but this control is not exercised directly by your parents. However, your parents would certainly question you about it because they have to deal with the

154 My observations when it comes to the motivation for veiling of young Shi'i women of various ethnic backgrounds differ from research outcomes among Turkish and North African Muslim communities in Europe. The latter research shows that large groups of young Muslim women decide to put on the headscarf from different understandings of religion compared to their mothers and female relatives of the older generation, who are mostly not veiled. See for example Amir-Moazami (2003, 2010), Jacobsen (2004) and Moors (2009) .

155 Verkuyten (2013, 181) comments in more general terms on group pressure.

local Iraqi faith community.' Bayan's words indicate that the practice of veiling within the ethno-religious community, in her case the Iraqi Shi'i community, is directly linked with the reputation of the family. The veil, then, represents not only the modesty of the woman involved but also that of her family. The watchful eye does not belong to individuals who have a specific power position within the community. It is understood as a collective awareness and responsibility to uphold the standards of modesty by members of the ethno-religious community.

What is the male perspective on veiling practices of female peers? Abbas began his answer to this question by expressing his conviction that in the Netherlands almost no girls are forced by their parents to wear a headscarf, because 'Once they [girls] are outside, their parents are not present and they can simply dismiss the headscarf. They are free to do so.' When I asked him whether he was aware of social pressure within the community with regard to the headscarf, he replied,

Within the social environment one always experiences some kind of pressure. When you are a member of a student union you are once in a while supposed to wear a T-shirt of that union, just to give an example. When you refuse to do so people will say, "Hey, he does not join our group." If we all do a certain thing and one does not join the group, this creates a kind of pressure [on the latter].

I asked Abbas if he thought the same kind of pressure is exerted on girls with regard to the headscarf. He said,

I think this may happen indeed. When a girl is from an Iraqi family of which women are known to wear *hijab* and she is spotted without a headscarf, yes, she has a problem. The whole family has a problem. In that sense there is some form of social control, yes, I should be honest about that. Still, I think that such a girl should try to find out herself why it is her duty to wear a veil. Once she understands the reason, she understands why it is a good thing to practise *hijab*. Besides that, it is a code. Just like one cannot wear pyjamas in the Houses of Parliament. There are codes how to behave. Apart from it [*hijab*] being an Islamic duty, it is also a social code.

From the statements of Abbas and Bayan we may conclude that within the Shi'i Iraqi community wearing the veil, apart from being a religious practice, is a social code that is considered a symbol of modesty. The watchful eye with regard to veiling is a form of social pressure within the ethnic Shi'i community that is known for upholding the norms of Muslim identity and practice.¹⁵⁶

207

Postponing the headscarf as norm

Within some ethnic communities, veiling as a daily practice is considered a religious duty that can be postponed until a later moment in life. Among my interlocutors I saw this attitude towards the headscarf especially among Afghan women, who are brought up with the idea that wearing the veil in everyday life, although a religious duty, is a possibility but not a must. The parents of the Afghan university student Pardis (22), for example, taught her that according to religious prescriptions wearing the veil is a duty for women. 'They told me that officially a woman should wear a veil, yes. But I was also taught that it is my own responsibility how to deal with that ruling.' Until recently, her mother did not wear a headscarf, neither in Afghanistan nor in the Netherlands. Within their family veiling was never an issue. 'My mother grew up in the communist era in Afghanistan, so she did not wear a headscarf,' said Pardis. Only a few years ago, in preparation for the *hajj*, did her mother decide to start wearing a veil and to behave and dress more modestly. 'Before that time,' Pardis stated, 'my mother was a very cheerful woman who used to dance and sing and live freely.' Among her Afghan female peers Pardis has no friends wearing a veil. 'For that reason I actually never think about it. I only realise this now, because you bring it up.' Apart from our interview I met Pardis several times. During religious celebrations she wore a loosely draped headscarf, not on other occasions.

Based on discussions I read on the Facebook group AhlAlbayt4Youth, Afghan girls who decided in their teens or early twenties to start wearing the headscarf describe their decision mostly as the result of studying their religion. This was

¹⁵⁶ In the introductory chapter I explained that I found my interlocutors in the network of Shi'i practitioners who are active visitors of religious gatherings and Shi'i youth gatherings. It is therefore not surprising that my female interlocutors of Iraqi descent all don the headscarf. However, from these female Iraqi interlocutors I learned that there are also many Shi'i Iraqi women in the Netherlands who do not wear the *hijab* and who actually perform their daily prayers and consider themselves practising Muslims.

also the case with Zubayda, an Afghan lawyer of 26, who explained, ‘I grew up in a Shi‘i Afghan family, but that is by no means a guarantee that you become a practising Muslim.’ From the third year of her Dutch law study Zubayda decided to study Shi‘i Islam and she gradually became a serious religious practitioner. At the time of our contact she was convinced that the inner *hijab* she had developed in the past few years would soon turn into a material *hijab*. She was willing to put aside her ambitions for a position within the Dutch judiciary, where wearing a headscarf – or any other symbol that reveals one’s religious affiliation – is not permitted. The biggest problem Zubayda was facing proved to be the view of her parents, who attach more importance to her career than to strict Muslim practice. They said to Zubayda, ‘The *hijab* will come when you are seventy.’ Zubayda struggled to find a way to meet her parents’ expectations and follow her own religious path at the same time. She said, ‘My parents are absolutely pro-*hijab*, but they will never really motivate me to wear it.’

The older generation in some ethnic communities relate modesty practices more to ethnic mores than to religion. Wearing the *hijab*, according to the norms within their ethnic community, is not necessarily a daily practice for young women. It is noteworthy in this context that specifically within the Afghan community in the Netherlands, school, study and social career for girls and young women are considered incredibly important. This bears a relation to the history of Afghanistan. Many of my female Afghan interviewees had not been able to go to school for years due to the political situation in the country. They all mentioned the importance of school and studies once they arrived in the Netherlands, for themselves, for their parents, and also for their position within the ethnic community. As a result, and in combination with the not so literal interpretation of religious modesty norms, more importance is attached to the social career of young women than to their wearing of *hijab*.¹⁵⁷

In this section, I showed how ethnic mores may differ from religious precepts. Where Islamic law dictates that girls start donning the veil from their ninth year, ethnic interpretations allow postponing this practice until later in life, which may be at any age. Starting to practise *hijab* in this approach is the result of an individual quest for religious knowledge. As far as I can see, there

¹⁵⁷ For a description about veiling practices and the position of women in history in Afghanistan, see Ahmed-Ghosh (2013) and Billaud (2009).

is usually a concrete reason for women to begin to study their religion. I think that most often the interest of women arises in association with major life events, such as the *hajj* was for Pardis' mother, and such as reaching the marriagable age and the prospect of entering the marriage market might be for young adults. In the case of Zubayda, her law studies made her curious about Islamic law, which led to her gaining knowledge about her religion.

209

In the approach to *hijab* described in this section, girls never start wearing a headscarf at the age of puberty. Instead, if they decide to start wearing the veil, their age may vary from adolescence to advanced in years. Consequently, I have not come across any signs of social control on veiling practices within the Afghan community nor within other communities where the non-literal interpretation of veiling is common.

Competing veiling discourses

The above two paragraphs illustrate that Muslims have different approaches to wearing the headscarf and that these views are often associated with ethnic interpretations. During my fieldwork I also observed that these two different ethnic discourses on veiling may become competing discourses in the Dutch context. An example of this competition of discourses concerns the Afghan Farzaneh who entered into the Iraqi community. I met Farzaneh at the Iraqi wedding party of one of my interlocutors. I was seated at a table with six Iraqi and two Afghan women, the eighteen-year-old Farzaneh and her niece. In my estimation there were about 250 women present in the hall. Except for Farzaneh's niece all women were veiled, including myself. Farzaneh was constantly adjusting her scarf, just like me, so I spoke to her about our shared struggle with the veil. She said that she had problems keeping the headscarf correctly draped because she had never worn one before, or only occasionally and very loosely. Yet she had to get used to it because she had recently got engaged to an Iraqi man, she said, which made her to start wearing a headscarf, 'because that is what Islam says.' Farzaneh promised her future husband to start wearing the veil. She told me that otherwise she would have taken the decision to wear the headscarf at a later stage in life, so her engagement only caused her to fulfil the duty of veiling much earlier. When Farzaneh made her entry into her fiancé's Iraqi family, the headscarf turned out to be an issue,

especially on the part of her fiancé's mother. She was afraid that Farzaneh would not persevere and would be inclined to abandon it after a short time. Looking at the piece of silk in her hands, Farzaneh said with a sigh, 'I had to commit myself to wearing the headscarf. Actually I still cannot imagine that I agreed. It is really difficult to get used to it.'

210

Farzaneh was used to putting on a loose scarf during religious gatherings and during prayers, like often practised in the Afghan Shi'i community. Entering into the Iraqi Shi'i community, where great value is attached to the veil, meant that she had to admit to the compelling desire of her future husband and her future in-laws to start wearing the headscarf on a daily basis and in the correct manner. Ten months after I met Farzaneh for the first time, I spoke to her again at a religious gathering. At that occasion she told me that she had become accustomed to wearing the *hijab*.

A second case of competing veiling discourses took place on a community level some years earlier, when a debate arose between Iraqi and Afghan youngsters about veiling. Initially Shi'i youths of different ethnic backgrounds founded one joint Shi'i youth organisation. However, different *hijab* practices of the two ethnic groups produced tensions.¹⁵⁸ Iraqi Muslim youths wanted the Afghan women to be correctly veiled during the gatherings, whereas Afghan youngsters wanted women to uphold their own part-time veiling practices, which meant wearing the headscarf on specific religious occasions only. This debate eventually led to a division into two separate youth associations (see chapter 7).

The above shows how strict interpretation of religious regulation is intolerant towards less strict interpretations. In her position as the future bride of an Iraqi man Farzaneh felt compelled to give in to the wishes of her husband's family and her future husband to put on a headscarf. She knew that what was required of her was in accordance with Islamic legal discourse. She had no argument for not conforming to those on whom she felt dependent. The issue of the headscarf debate between Iraqi and Afghan youth was a matter of different attitudes and opinions with respect to *hijab*, each group having its own position in the same religious discourse. In their eyes both groups were

¹⁵⁸ Allievi also notices that many women-related issues produce intra-Muslim tension between different ethnic groups and nationalities or based on other differences in background (2006, 126).

acting in accordance with Islamic discourse and therefore saw no need to give in to 'the other'. Instead, they split up.

Identity and difference

211

Dutch attitude towards veiling

'Clashes with Muslims in European societies commonly centre on the headscarf,' states Van der Veer (2006, 124). Indeed, in Dutch political and public discourse on Islam, the headscarf takes a central place as a symbol of gender inequality and a rejection of western values (Saharso, Lettinga 2008, 466-471, Shadid, Van Koningsveld 1994).¹⁵⁹ From the variety of perspectives in the Dutch debate about Islam and Muslims, I have chosen to examine how veiled women are seen in the Netherlands as other, and how they deal with being othered.

Approaching the Dutch public debate from a historical perspective, Van der Veer sees the root of the Dutch attitude vis-à-vis Islam in the relatively quick transformation of the Netherlands from a highly religious to a highly secular country during the 60s and 70s of the 20th century. Dutch people look back on these years as the decade in which they finally liberated themselves from the constraints of religion (2006, 118). The strict ideas of Muslims about sexual morals, Van der Veer argues, remind the Dutch very much of what they left behind only recently. 'In a society where consumption and especially the public performance of sexual identity have become so important, the strict clothing habits of observant Muslims are an eyesore,' Van der Veer notices, and 'The wearing of headscarves by Muslim girls, in particular, is regarded as a total rejection of the Dutch way of life' (2006, 120).

Van Nieuwkerk observes that the above-described developments led to a 'Dutch progressive' versus 'Muslim backward' discourse in which gender is central. She states that Muslims, as believers, in Dutch discourse are

159 See chapter 1 for a more detailed explanation of the Dutch debates on Islam. In other European countries the Islamic veil is also a topic of debate about which much has been published, amongst many others Kiliç, Saharso & Sauer (2008), Maréchal (2003), and Nielsen (2013). Van der Veer points out that the headscarf debate may have different meanings in the various European societies. Where in some countries the headscarf is a perceived challenge to the secularism of the state, in the Netherlands it is in his opinion a perceived rejection of sexual liberty and consumer values (Van der Veer 2006, 124).

constructed as ‘the other’, with gender and sexuality as two of the core issues of otherness. In Dutch discourse, veiling has come to be understood as an ultimate expression of otherness. ‘Veiling is subordination and oppressed women are the ‘ultimate others’ of Dutch self-perception.’ The headscarf is considered a source of conflict with the Dutch environment (Van Nieuwkerk 2004). Young women often face more resistance to their headscarf than the older generation, especially because advocates of secularism do not understand that girls who have been socialised from an early age in secular educational institutions consciously choose to cover themselves (Amir-Moazami 2010, 192).

In this section I will elaborate on how young Shi’i women who deliberately choose to wear the headscarf relate to the Dutch dominant discourse, and how they interact with the Dutch environment.

Taking position as a Muslim woman in Dutch society

Neda, an Iranian woman in her late forties, wears *hijab*. She was inspired to put on a veil when she still lived in Tehran as a university student. Her source of inspiration was the Iranian sociologist ‘Ali Shari’ati (1933-1977), who strongly criticised the western fight for women’s freedom in the 60s and 70s of the 20th century. In his opinion the western model of freedom made objects of women. Shari’ati developed a new ideal model for the Islamic woman in what Keddie calls his ‘separate but equal doctrine’ (2003, 204-205).¹⁶⁰ I asked Neda, mother of a teenage daughter born in the Netherlands, how she discusses the idea of veiling with her daughter. Neda said, ‘Before a girl starts to wear a headscarf she should really be convinced that it is the right choice for her as a woman.’ Neda stated that she would never force her daughter to put on a scarf. Her reasoning was as follows,

That [wearing the headscarf] is not the first thing I think of for a woman. First there is faith, then there is a good education [...]. At the same time, she herself should think about, “What type of woman do I want to be? How do I want to present myself in society?” She should decide on that herself. For me as a mother it is much more important that she is honest, friendly, and

¹⁶⁰ In later years ‘Ali Shari’ati was considered the ideological father of the Iranian revolution (Arjomand 2009, 72-76, Fisher, Abedi 1990, 172-220, Keddie 2003, 198-208, Keddie 2007, 310-319).

that she does not hurt other people. And of course that she understands the meaning of Islam and understands that many forms of Islam in this world are not how Islam is meant to be, so that she is never ashamed of Islam because of Osama bin Laden. Once she understands that, we can proceed with her religious education, and I hope that God forgives her for not wearing the headscarf although she reached the age a few years ago.

213

Neda reasons that a Muslim woman's modest behaviour is not determined by regulations about behaviour and appearance. In her eyes the strict codes of conduct as published by the *maraji' al-taqlid* do not represent the core values of Islam such as justice, honesty, equity, love and compassion. Neda makes a clear distinction between faith and its values on the one hand, and *fiqh*, the man-made rules, on the other. In the education of her daughter Neda aims to give her an understanding of the meaning and values of Islam.¹⁶¹ These are mainly expressed in moral behaviour, she said (see chapter 3). Rather than encouraging her daughter to don the veil, Neda is stimulating her daughter in finding a way that leads to self-knowledge, faith, and a personal manner to live Islam. Putting on a veil can only be a result of such a process, according to Neda, but never the beginning.

My interlocutor Hodayra went through the process that Neda hopes her daughter will go through. In the Iraqi family of Hodayra the choice to put on a headscarf was left up to herself. Like many other Muslim girls, Hodayra's veiled mother was her role model and she started wearing a veil when she was nine years old. However, she decided to give up wearing it at the age of 13. Hodayra took that decision when it dawned on her that she performed Islamic rituals and lived according to the Islamic code of conduct, including *hijab*, but that she did not have any understanding of these religious practices. She knew their form but she missed their meaning. Hodayra's decision to put away her headscarf did not mean that she was no longer committed to her religion. In retrospect, being the only foreigner (she used the Dutch term *allochtoon*) at school was her blessing, she said. 'I did not take the wrong path because I only had people around of whom I knew that they were different. I did not need to

161 Throughout her work on Islam and gender, the Iranian legal anthropologist Mir-Hosseini strongly emphasises the distinction between the Islamic faith, with its values and principles, and organised religion, which includes institutions, laws, and practices (Mir-Hosseini 2006, 632, 2007b, 22).

act like they were acting.’ This statement of Homayra shows that her inner self simply did not want to interact with male peers in the way her Dutch friends did. She felt better by adhering to the boundaries of Muslim conduct. When a couple of years later Homayra started to study Islam by herself and started to understand much more of it, she again took up the *hijab* to never take it off again. She said,

I am very happy that Islam is my religion, that I know the behavioural boundaries, that I can keep strong, that I wear my headscarf. But you will never hear me say that [I do wear it because] it is said in the Qur’an. It is not in the Qur’an. The Qur’an says, “Cover yourself.” It does not say anything about a headscarf. But this is part of me. I feel good with it.

Homayra does not wear the veil because she feels bound by the Qur’an or religious regulations. For her the veil rather serves as a means to achieve different goals. First, it sets behavioural boundaries for herself. Second, it allows her to behave differently from Dutch peers. In turn, third, it makes it possible for her to interact freely with non-Muslims. Fourth, it helps her to maintain her identity and self-respect.

Resisting Dutch prejudices

Instead of acting in a manner that corresponds to the depiction of veiled Muslims as oppressed women devoid of agency, many of my veiled interlocutors resist Dutch prejudices by demonstrating agency and autonomy. The job market is one of the fields where counterbalancing prejudices is important, according to the accounts of my interviewees. Some of the veiled women are convinced that they were turned down for jobs because of their headscarf, although the employers gave other reasons. Other female interlocutors fight such assumptions. Among them is Bayan, who is convinced that she was never rejected for a job because of her headscarf. The reason for rejection was always her lack of experience, she said. Once, however, her headscarf almost thwarted her desire to get a job as a shop assistant. This was in her first job at a branch of a national drugstore chain, where she started working as a fourteen-year-old student. The owner of the store did not allow

her to be in the store during opening hours – ‘At that time headscarves were barely seen in our town,’ she explained – so she worked in the warehouse after opening hours and supplied the store. She told the following about her experience,

I did not like that, so I just kept insisting that I wanted to work in the store, at the counter, and that I liked to help the customers instead of working in the warehouse. At one point there was a shortage of employees and my employer thought, “Let us try it for an hour.” I thought, “This is my chance, I have to make the most of it.” I was scheduled very early, at 9 a.m., when there are very few customers, and I was supposed to leave the store after that hour. In the back of the store there were a medicine cabinet and a perfume display, and at one point during that hour my boss helped people at the medicine cabinet and I started to advise customers in the perfume section. At the end of the day he said, “You are very well with customers and you have done a good job.” From that moment I only worked in the store, helping customers and being a cashier. I worked there for many years, and I always got very positive reactions from the customers. I just did it awfully well, and my employer noticed that too.

215

Bayan did not reconcile herself with her employer’s prejudice with regard to her veil. Instead she adopted the strategy to win the sympathy of her employer and show her drive and dedication to the job. In that stage she repeatedly informed him about her aspirations. Once she got the chance to realise her goal, she jumped at it, being convinced of her qualities. She did not act as a submissive veiled girl but as an assertive girl who happened to wear a scarf.

Homayra has a similar attitude. She is proud of her headscarf as an expression of her Muslim identity. However, she tries to prevent others from forming an opinion about her that is based only on her headscarf. Homayra taught herself to take the initiative in making contact, with the aim to make people see her as a person and not only focus on her scarf. She wants to be seen as a Muslim woman with abilities and ambitions, who in that regard does not differ from Dutch girls. When applying for jobs she never felt her headscarf a hindrance in any way, as is evidenced by her statement,

I do not see it as a limitation, and it does not limit me in my life. Many girls think, "If I wear a headscarf, I will not get that job." Once you start having such an attitude, you will obviously not get the job. It all depends on your mentality. When I go to a job interview I think, "This is me!" I was never rejected for a job because of my headscarf I think. They always said, "You have too little experience." And indeed, those times I was rejected this was always true.

In private life Homayra has adopted the same strategy of making a connection with people in order to show them that there is a person under the veil who in many respects is similar to them, but who is different in the sense that she bases her choices and her way of acting on religious beliefs. In her view, prescribed Islamic conduct does not limit her in following her own aspirations. She remembered the following incident,

During a day at the beach I thought, "I want to swim. Does it matter if I go swimming with my clothes on? I have two swimming certificates." I was aware that there were two Dutch people looking at me dismissively, but my philosophy teacher [mister X] once said, "Never look away if someone looks at you, because then you give him free play." Having that in mind I thought it would be better to smile at those people to show them that I did not care. Only then they would probably just see me swimming, just like they were swimming. So I looked at them for a few moments. And I also went to them afterwards for a talk. More Muslims should do so. I only think, "Why make the veil a limitation in my actions while there is no limitation?" You determine that yourself, and it is your own experience. Look, it is not very pleasant to be stared at, but you can also react instead of looking away and just laugh or seek for another way of communication.

Homayra, aware of the deprecatory look of the Dutch seaside visitors focused on her, applied the strategy of seeking contact with those Dutch people. First she showed being not impressed by their gaze. Then she did what she felt like: a refreshing dip in the sea, with her headscarf and fully clothed. Afterwards she went to those who looked at her as if she was an alien and started a social talk with them, just to show that below her outer appearance there is a woman with desires, joys and aspirations, just like them.

Converts becoming visible Muslims

Dutch women who decided to convert to Islam entered as it were into a new space. They needed to learn how to live a life as a practising Muslim and acquired a new identity in Dutch society. Last but not least they have to deal with the Dutch negative attitude toward religion, specifically Islam. In order to let their faith grow, my converted interviewees were eager to take up Islamic practices such as prayer and fasting. For many the veil played a role in shaping specifically Muslim agency. Wearing the *hijab* helped them to cultivate acting as a Muslim and to internalise Muslim female behaviour.

217

The process towards veiling usually started with experiments in their private home. They told me about the hours they spent in front of the mirror trying out different techniques and styles of draping a scarf, often following *hijab*-tutorials on YouTube. They described the occasion of presenting themselves for the first time in public with a veil as an exciting endeavour, for which they often chose the attendance to a religious gathering, a meeting with converted peers, or a fairly anonymous tour through a shopping mall. In contacts with other converts they experienced mutual support and solidarity in the shared process of acquiring knowledge, of learning how to practise Islam, of giving shape to a Muslim life in the Netherlands, and of dealing with issues related to the headscarf. What Dutch converts most of all share is their new ‘Dutch Muslim identity.’

Declaring their new identity in public by starting to wear *hijab* implies a positioning in society as an ‘outsider’ and an identification with the Muslim community (Badran 2006, 204). Identification with the Muslim community, however, does not mean that converts really feel included in the Shi‘i community in the Netherlands. Sarah for example stated, ‘I may be a member of the Shi‘i community, but we, converts, very much stick together because we remain outsiders [for Shi‘is of other ethnic origins].’ Her explanation for this outsider position was first, that born Muslims often take converted women less seriously as Muslims, and second, that Shi‘i communities in the Netherlands are organised according to ethnicity. My converted interlocutors did not specifically aim to become part of one of the ethnic-Shi‘i communities, although on religious occasions they visited gatherings. Some of them also

established individual contacts with non-Dutch female Shi'i peers.¹⁶²

218

With regard to the outsider effect in the Dutch community my interlocutors held the opinion that their own attitude was a determining factor. Sarah was convinced that Dutch people still see her as a Dutch woman. 'They might be thinking, "Oh, she is probably married to a Moroccan man and she is severely suppressed and she is forced to wear a headscarf." But no, I assume that they see with me a slight difference and many similarities. Your own attitude is important. If you act normally and you talk with people in a normal way yes, your own attitude determines what they think.' Sarah is convinced that her way of acting and interacting with people makes that she is not looked at as an outsider.

In the own immediate social setting of converted women, the *hijab* was often a source of tension that negatively affected the relationships with family and friends or had the potential to do so. Research has shown that certainly for family and friends the *hijab*, perceived as a visible symbol of the subordinate position of women in Islam, usually meets with strong opposition and often seems a bigger issue than the conversion itself (Haddad 2006, 31, Jawad 2006, 156). This is exactly what happened to Enfal, who vividly remembers the clash with her parents. She told me about it in the following terms,

For my parents it was a shock that I started to wear a veil. Their daughter converting to Islam was one thing, but their daughter wearing a headscarf hell broke loose. Look, my parents are from the late 40s so they have experienced the 60s, and I have noticed that this generation finds Muslims and headscarves very problematic. Not everyone, but a lot of them, because they remember their fight for the rights of women. My parents have always taught me that everyone is the same and equal, but when I, their daughter, started to wear a headscarf They said, "If you come to us you have to take off your headscarf." Then I said, "In that case I will not come." Some other converts say, "Okay, I will take off my headscarf." But I think, "If you want to see me, you have to accept my headscarf." I do not want to do this half-heartedly. I want to do it well, in the way I have chosen to do it.

162 In her research among Dutch converts to Sunni Islam, Vanessa Vroon notices that Muslim converts prefer to build multi-ethnic social networks instead of becoming part of the Turkish or Moroccan immigrant community (Vroon 2014, 101-102).

Enfal particularly experienced strong negative reactions from her parents and their generation. She connected these reactions to the developments in the 1960s, when religion gave way to sexual freedom and when the feminist movement arised. The Dutch older generation usually see themselves as very liberal and emancipated. It is the generation whose women have struggled for equal rights. Van der Veer subtly observes that it was feminists who led attacks on Muslims in the Netherlands (2006, 120).

219

Not only are parents often disappointed with the choice of their daughter to convert to Islam, they also feel ashamed. This is a second reason why the headscarf is a sensitive subject. Their daughter or sister visibly displaying her choice for Islam by wearing a headscarf makes family members concerned about what neighbours and other people would think, notes Haddad (2006, 31). Sarah takes this aspect into account when she visits her parents, who live in a small Dutch village. She told me,

I guess it [the conversion] is not really a problem for my parents. I notice that I do not put too much emphasis on it, especially not with my mother. My mother has always been very concerned about what the social environment thinks. I think it does not make sense to confront her with a scarf [...] That would only be disruptive. It would cause tension and that makes no sense, I would never do that.

Sarah is very happy that her parents have not responded negatively to her conversion. She tries not to disturb the good relationship with them, which at some points is at the expense of proper Muslim practice, she said. When visiting her parents she puts her headscarf away, even if this feels slightly uncomfortable for her because by now the headscarf is part of her and she feels naked without it.

Modest behaviour: mixed social interaction

Religious regulations, ethnic customs, Dutch manners

Each of the three dominant discourses in which female Shi'i youth are situated - Islamic legal, ethnic and secular-Dutch - appears to have its distinct

understanding of permissiveness and regulation with regard to cross-gender interaction. Religious prescriptions of the *maraji' al-taqlid* do not forbid social interaction between men and women, provided that both parties observe certain limits. Grand ayatollah Khamene'i states that men and women can talk to one another, can do business, can argue with each other and can make friends, within the limits of honour and dignity.¹⁶³ The Q&A sections on the sites of the religious authorities say that contacts had better be kept formal and in a public setting. Touching, flirting, being alone with someone of the opposite sex and any unnecessary or inappropriate talk should be avoided. Entering into friendships is strongly discouraged because such relationships may lead to unlawful activities, but it is not forbidden. Fadlallah writes, 'If both sides were certain that they will not fall into unlawful activity or into anything that incite it, and if their relationship were governed by the imposed legal limits, then no problem would occur.'¹⁶⁴

Ethnic modesty customs tend to be stricter than the legal prescriptions of today's grand ayatollahs. Several of my female interlocutors pointed at the clear distinction between legal and ethnic normativity, stating that their Shi'i faith is very progressive and gives many benefits to women compared to ethnic customs. They expressed that religious norms give women freedom and autonomy, whereas ethnic customs limit women. Pardis referred to 'cultural norms' in which 'girls should not do this, girls cannot do that.' She pointedly said, 'I owe all to my faith. [...] My faith allows me to do everything I want to do. I can travel and I can take my own decisions.' The Afghan university student Aliye stated, 'My religion allows me the freedom to go everywhere and to travel on my own as long as I behave in the way my religion requires. If we followed the cultural norms, I would, so to speak, never leave the house.'

In the secular Dutch society free mixing between the sexes is a matter of course. Everyone has his own limits of decency and modesty. In the remainder of this chapter I will illustrate how young Shi'i women try to find a balance between Shi'i legal prescriptions, ethnic customs and Dutch manners regarding modest behaviour.

163 See website of grand ayatollah Khamene'i, http://english.khamenei.ir//index.php?option=com_content&task=view&id=1233&Itemid=12#The%20debate%20on%20hijab%20between%20Islam%20and%20the%20west (accessed 20 December 2014).

164 See website of grand ayatollah Fadlallah, <http://english.bayyinat.org.lb/jurisprudence/relationships1.htm> (accessed 20 December 2014).

Disciplined companionship

Religious modesty norms allow Shi'i youth to interact with the opposite sex, albeit in a restricted manner. This raises the question of how young women in the Dutch context deal with religious norms on modesty, and how these norms affect their interaction and relationships with male peers. Some of my female interviewees consciously preserved distance and in their contacts with male classmates or colleagues confined themselves to the exchange of information. Their social life consists of contacts with female Muslim friends. One of them, Fouzia, stated that her friends were all Shi'i girls. I also came across a completely opposite situation, in which a young and seriously practising Shi'i woman is part of a social network that exclusively consists of Dutch male and female friends. She lives in a student house with Dutch women who live their lives according to western moral views. In addition, the student house is often the place of gathering for the mixed circle of friends. There are frequent mixed gender joint activities. The setting outlined here is the social life of Iman. She shared her experiences with me, thus providing a deep insight into her feelings, reasoning and considerations with regard to mixed gender relations and the encounter of Islamic and western modesty discourse. I asked Iman how she interacts with her Dutch male friends, and whether she acts differently with them than with young Muslim men. She answered,

221

I feel that I can talk freely with Dutch guys about all kind of things, I feel freer in making jokes, there is more companionship [than with Muslim boys]. Look, of course it should not be too nice, I must always pay attention to that, but I have a mixed group of friends, and also with the boys in this group I can laugh freely and make jokes and have fun. When you go to AhlAlbaitYouth you immediately see the difference. It is completely different. I do not know many Muslim boys, and in fact I am not befriended to any Muslim boy, but I do not think they would make the same jokes with me as Dutch boys do. I only meet Muslim guys in a religious setting, where people behave differently. There is a kind of distance that is consciously maintained. Basically Islam says that friendships between boys and girls are not allowed. With colleagues there is no problem, with colleagues one can easily interact, but friendships between boys and girls are actually not allowed.

In the above quote Iman described very clearly the differences in interaction with Muslim and non-Muslim boys. She enjoyed the free and joyful interaction with Dutch male friends. At the same time she was acutely aware that such friendships with Muslim boys are inappropriate from the Islamic point of view. However much Iman enjoyed the playful contacts with Dutch boys, her own conscience urged her to change her attitude towards them, as she noted in the continuation of her account,

So in my circle of friends I have tried - and this was really hard to me - to recover the distance that was a bit lost. At some point jokes were told that were very funny, but I also thought, "This is very funny and I am laughing about it, but is it really appropriate in my religion? Would God approve of it? Would I accept my [future and yet unknown] husband to make this kind of joke with other girls?" I really thought this was not the case, so then I tried to create the distance I would wish my future husband to keep. I think that is fair. And I actually expect [Muslim] boys to do the same.

Islamic law states that not only girls but also boys must meet the standards of modest behaviour, which is a tremendously important principle for Iman. She lives after those rules and she expects exactly the same from her future husband and from Muslim boys in general. Iman's adjusted attitude towards Dutch male friends is her consistent application of Islamic standards. When I said that I found her way of acting very consistent, she continued,

Yes, it is a nice thought. Sometimes its application is difficult. It really needs discipline and I am glad that I usually have this discipline, like, "I really feel like seeing a movie together tonight in the house of this specific boy, I am really excited about it, but I would better stay at home, because this might be one of God's trials. [...] Maybe he wants to see how I get through this fight." So that is the *jihad al-nafs* I talked about earlier, how to cope with my desires. I would love to have a movie night (laughing) Sometimes it is very difficult. Especially since I experienced that at one point I was in love with one of those guys. Look, that is the problem! You think that such a thing will never happen, but still it happened. And it is so hard to distance yourself from those feelings. But then I think, "Well, we will never get married."

Because of that, keeping such distance is more respectful anyway. So yes, to me that is important.

Developing romantic feelings for a Dutch man felt for Iman like inadvertently and unintentionally approaching the boundary between losing or maintaining self-control. By considering this experience a trial of God she was able to fight her feelings in order to regain that control. Falling in love was to be reserved for a Muslim man, the one who would become her future husband. This happening that for her was emotional and confronting made Iman decide to set some boundaries in the daily contacts with her Dutch male friends, she told,

223

I try to limit amicable relations with other [male] students. Because at some point you get pats on your back or on your leg, and eh, those touches were an important reason for me to stop the friendship relations I had with some [male] students. It had to stop. [...] It had to change. I stopped sitting next to them during lectures because I knew that this [being neighbours] would inevitably lead to pats on my back if we had to laugh about something. I also tried to avoid certain topics [of conversation], knowing that we could possibly become too close. I always think deeply and much about those things, and I try to reduce our relations gradually, intending to make them more distant and less frequent and no longer as intense as they were.

Iman felt that the way she interacted with her male friends awakened desires in her that she considered inappropriate for her as a Muslim woman. Therefore she started to consciously transform the character of the friendships to a manner of interaction that, from her conception of modesty, was permissible. She did not withdraw from the circle of friends. Instead, she adapted her own behaviour and thereby indirectly gave direction to the way her male friends behaved towards her.

Iman's account shows how she in everyday life is part of both Islamic and western discourses and how she navigates between them. Her statements illustrate how she assesses her way of acting and how she approaches her feelings and thoughts from an Islamic perspective. Being firmly positioned in Islamic discourse provides her with the agency to determine and redefine the limits regarding touching, looking and talking she deems necessary to observe.

Those limits are not only set by legal discourse but also by the thought, 'What can I justify to my future husband, and how would I wish him to set the limits for himself.'

224 **The supervised conscience**

When I addressed the topic of mixed gender interaction in interviews, many of my female interviewees, veiled and not veiled, reported that they indeed have contacts with boys, that their parents were aware and that they did not object to their daughters' way of spending time with male peers. I learned that the attitude of parents was the result of the manner in which they brought up their children. 'They know that they can trust me,' several of my interlocutors mentioned. 'The correct way of behaviour is almost something that you 'inherit' from your parents,' Bayan said. Her parents taught her how to move, how to be seated, how to talk, how to look. Hanging back in her chair or talking loudly 'would not fit into our culture, and it does not fit into our culture because of our religion. [...] In everything I do, in all my contacts with others, always and everywhere, my religion is my guide.' Friendships between boys and girls are not necessarily in conflict with being a good Muslim, Bayan explained. 'Yes, I interact with guys, but (laughing) I do not play around (in Dutch she said 'stoeien') with them.' Her parents did not forbid her to have contacts with boys. Instead, they taught her the correct manner for mixed social interactions. She told,

You know, your upbringing forms your basis. I was allowed to have contact with boys, but only this way. They [her parents] raised us like that and we hold to that. They trust us. We grew up in an atmosphere of trust. During exams at secondary school I often studied with one of my male classmates in the library. When I got home after such an afternoon I used to say to my father, "Dad, if anyone reports you that I was with a boy, you should know that I have been studying with a guy named such and so, just that you know." That was okay. He never said anything about it.

Bayan touched a point that my female interlocutors – mostly those from Iraqi origin - experience as limiting their freedom: the social control by members of

their local ethno-religious community. 'I enjoy strolling through the city with a friend or a colleague or a schoolmate, male or female,' Bayan said, 'but I know that people do not understand such behaviour.' She remembers one time when a member of her local community saw her in the centre of town, walking with a male classmate.

225

Bayan: You see all people thinking, "What is she doing? Has she become crazy?"

Annemeik: All people? Who are those people?

Bayan: My friends, Muslim acquaintances. [...] There is always a watchful eye. This makes that you immediately think, "I cannot do this [in Dutch she said 'dat kan ik niet maken']." During my engagement, which lasted for two years, my fiancé was in Iraq. At that time I had a very good [male] friend at university, who sometimes asked me to join him for some shopping and buying clothes for him. We went along together very well and we had no other intentions. During our joint traineeship we had gotten to know each other quite well. So I went with him into town (laughing) to buy clothes and shoes for him.

Remembering those afternoons obviously still fulfilled her with pleasure. She continued,

Look, my parents knew him and they saw no problems, but once when we strolled together through the city centre I met an Iraqi man and I saw him think, "She walks here with a strange fellow, but she is engaged, what kind of a relationship do these two people have, and does her future husband know about it?" I did not like that. He thought that it was not quite right [in Dutch she said 'hij dacht dat het niet in de haak was']. So I discussed this with my friend, told him that I liked to go shopping with him, but that I felt the disapproving gaze of people, which might have unpleasant consequences. And indeed, the wife of the Iraqi man later talked to me about my conduct. So then I said to my friend, "We had better stop our joint afternoons." This is a pity, because now that I cannot join him anymore, our friendship has come to an end. I cannot go with him into his car, you know? That makes it difficult to engage in joint activities. And you should know that my mother knows this

guy and she just loves him. And my husband knows him. This friend visited us at home. There was nothing to worry about. For some time we kept in touch by regular phone calls, but finally our friendship stopped. I still feel sorry for that.

226 Bayan's story illustrates the power of the controlling gaze of members of the community one feels committed to. She had no doubts about the correctness of her behaviour from an Islamic legal perspective. Her intentions were pure, and her parents and fiancé knew her friend and approved of their friendship. Yet she felt limited by the watchful eye of members of her local ethnic community, whose assessment was mainly based on specific ethnic conceptions of female modesty. These were the people who had the power to affect her reputation and that of her family. When Bayan indeed felt that her reputation within the Iraqi Shi'i community was at stake, she felt forced to give up the joint outings with her friend, which eventually meant that the friendship slowly petered out.

Switching codes of conduct

During my research I came across a manifestation of Islamic modest behaviour that not necessarily arises from personal religious commitment. Rather I would define it as commitment to and dependence on one's own ethno-religious community. The conduct concerned is an expression of Islamic modesty that does not result from a religious inner state that urges for moral behaviour. The application of this type of modest behaviour is context bound, dependent on the specific situation, and limited to members of one's own ethno-religious community. It was my male interviewee Kamran who made me aware of this selective application of modest conduct. He told me the following,

Afghan girls usually interact very easily with Dutch guys. They talk with them, they phone them and message with them, but they would not do so with an Afghan boy. [...] On the other side, I do not see Afghan boys talking easily with Afghan girls, whereas they do so with Dutch girls without feeling any shame. This is not always because they do not respect the Dutch girl, or because they think that norms and values are not important for her anyway – although sometimes they do think so – but just because they feel much

freer with a Dutch girl. There is a distinction between gender interaction with the Dutch and with one's own people. [...] The Afghans living in the Netherlands became less strict, but compared to Dutch standards I think their manners are still quite strict.

In this statement Kamran pointed to the differences between the two codes of conduct. Openly talking, phoning and messaging with someone of the opposite sex is considered inappropriate behaviour as explained by Afghan modesty norms, but perfectly normal according to western ways of relating. With members of one's own group, the behaviour is adjusted to the ethnic code of conduct, whereas in contacts with Dutch peers youths follow the Dutch manners. The reason of this switching of codes is revealed in the continuation of Kamran's statement,

227

For example, when I meet an Afghan girl I rather keep some distance because I think that only saying "Hello" to her will give her the impression that I proposed for marriage. I also noticed – I do not have a distinct Afghan appearance – that a[n Afghan] girl may think that I am a Moroccan, and in such cases a girl is usually very open to me and we can have fun together. But when I tell her that I am Afghan she immediately switches to a much more formal, modest, pious, and distant attitude. I choose to keep a distance so that she does not feel uncomfortable anyway. [...] She is vulnerable to gossip and things like that.

With this observation Kamran demonstrated that the switching in conduct is not based on a distinction between Muslim and non-Muslim, or between Afghan and Dutch. Social control stops at the boundary of the ethnic group, in this case the Afghan community. In contacts with members of one's ethnic community the ethnic-Islamic code of conduct is strictly observed. Yet, when interacting with members of the opposite sex that are Dutch or from another ethnic background, both boys and girls behave more freely. What is at stake here is one's reputation within the community. Indeed, the ethnic community is the first and most important resource for finding a future marriage partner. A good reputation within one's community is vital to be an attractive spouse. The latter point will be discussed in the following chapter.

Conclusion

228

In this chapter I discussed how young Shi'i women in the Netherlands live and negotiate Islamic modesty norms. The first part discusses the different meanings that wearing the headscarf may have, apart from being first and foremost a religious practice. The second part is devoted to behavioural aspects, especially mixed gender interaction. Given the fact that young Shi'is living in the Netherlands have been shaped by and are subjected to three discourses: Islamic legal, ethnic and Dutch liberal discourse, I approached the issue of living and negotiating modesty norms from these distinct discourses.

From the Islamic legal perspective, I demonstrated how the veil for young girls serves as a means to learn female Muslim behaviour and to distinguish between Muslim and non-Muslim conduct. I have also shown that girls may have initial difficulty with veiling for two reasons. The first is that they become different from their non-Muslim girlfriends. The second is their lack of understanding of the fact that veiling is an Islamic duty that only pertains to girls and not to boys. Only by an inner struggle and by developing a logical argument with regard to the justice of this duty imposed on women, are they able to reconcile themselves with the practice of covering. So for some young women subordination to God's will by donning the veil is a matter of building Muslim agency in a non-Muslim society. For others it is hard work that requires religious agency.

If the headscarf is an expression of religious identity and commitment, one's style of dress is an expression of individuality and autonomy, of femininity, of youthfulness. In choosing their own way to present themselves in Dutch public space, my interlocutors seek for a manner of dress that respects the modesty norms but that at the same time demonstrates identification with young women, Muslim and non-Muslim peers. Criticism from parents and even from religious scholars is pushed aside with the argument that as Muslim women they should not stand out too much among the Dutch public in general.

The ethnic discourse on veiling actually consists of two different discourses. One follows religious norms and has the viewpoint that veiling is at the core of the realisation of modesty norms, thus a practice in everyday life in public space. The other is a tradition where rulings are not applied strictly to the letter, making veiling a practice for specific religious occasions. I showed that the ethnic discourse determines whether or not veiling is a common practice

and at what age girls start wearing the headscarf. In one of these ethnic discourses the norm is that girls start wearing the *hijab* at an early age, before or around the age of ten, exactly in accordance with the religious regulations. In this study this is mainly the Iraqi norm. Girls and young women experience wearing the headscarf as a personal choice but I rather see it as a matter of meeting the expectations of parents and local community. Girls grow up with the idea that a virtuous Muslim woman wears a headscarf. The reputation of the woman and of the family within an ethno-religious community that follows religious rules as literally as possible is closely linked with *hijab* practices. Not surprisingly there is social control on veiling from within the community. In the second of the ethnic discourses the decision to start wearing the headscarf results from an individual quest for religious knowledge and understanding. This decision may be taken in adolescence but also at a much older age. The good reputation of the girl and her family is not dependent on practising the headscarf. In this respect there is no social control. In the present study we find this attitude mostly among the Afghans.

When the two distinct veiling discourses meet, the more strict interpretation is intolerant towards less strict interpretations. As I illustrated, a solitary individual feels compelled to adjust her *hijab* practice to the group's practice. In case of equality in religious knowledge the group of less strict practitioners does not yield to the pressure of the group that adheres to strict practice. Within ethnic discourses on veiling it is difficult for individual women to exert agency in the sense of pursuing one's own aspirations if these differ from customs within the family and the local ethno-religious community.

In the third section I discussed the ways in which my veiled interlocutors respond to Dutch discourse, in which the veil is understood as an ultimate expression of 'otherness', subordination and oppression. I illustrated how my veiled interlocutors resist Dutch prejudices by demonstrating agency and autonomy, both in encounters with Dutch people and in the realisation of their own aspirations. I also demonstrated that wearing a headscarf may be a form of resistance against the public performance of female sexual identity that in Dutch discourse stands for progressive and liberated. By wearing a veil my interlocutors consciously demonstrate their adherence to Islamic values and their distancing from the western sexualisation of women. The veil in their understanding is an expression of being a woman with moral principles and self-respect.

Converted women who become visible Muslims by putting on a veil navigate in a very specific way between Islamic and Dutch-secular discourse. For them the headscarf is an expression of their newly adopted Muslim identity and a tool for the internalisation of an Islamic life style and practice. During my research I found out that not so much the conversion but much more so the headscarf was a sensitive issue in the relationship between converted women and their Dutch environment. The encounter between Dutch-secular and Islamic discourse was most strongly experienced in the parent-child relationship. For some, the headscarf led to a - temporary - disturbed relationship with parents. Others attach great importance to maintaining a good relationship with their parents and remove their headscarves when they visit them, thus shifting between discourses.

The second part of the chapter is devoted to behavioural aspects of modesty, in particular mixed social interaction. This part clearly reflects how young veiled women negotiate the modesty norms of the three dominant discourses, or how they switch between different codes of conduct. Almost without exception Shi'i female youths interact with boys. Religious norms allow interaction between the genders, provided that certain limits are observed. What the limits are in the Dutch context is subject of negotiation for my interviewees. I have shown that in their interactions with the opposite sex, veiled Shi'i youths do not seek the sexual liberties of their non-Muslim friends.¹⁶⁵ However, they pursue the same freedom and autonomy as their male Muslim peers, reasoning that norms for modest behaviour within religious discourse equally apply to both sexes. They adhere to these standards and live by it. In the opinion of my female interviewees their actual limitation of freedom is rooted in the ethnic conceptions of female modesty, where young women are subjected to a strict standard while male youths have complete freedom. Furthermore, as women in ethnic discourse are deemed central for the maintenance of norms, they are often tied to more social control than their male peers. Nevertheless, girls feel compelled to take the ethnic modesty standards into account, if only because their reputation within the ethno-religious community will determine their chances on the marriage market, as will be discussed in the following chapter.

165 In her study on the ways in which young Muslim women in France and Germany negotiate gender and citizenship as Muslim practitioners in European settings, Amir-Moazami also concludes that women do not aim at sexual liberation but that they negotiate freedoms (2010, 193) .

6

Marriage practices and marital gender relations

Youth in the Netherlands can freely go out and date and when they meet someone whom they are attracted to they may spend lots of time together and decide to cohabit. Marriage is an option and the moment of marriage may be before but also after having children. In this whole process, parents can give their opinion but they have no right to decide for their son or daughter. In Muslim societies, where gender segregation is the social norm, male and female youth only have limited opportunities to meet and date prior to entering into marriage. Parents are closely involved in the process towards marriage, from partner search to organising the marriage and setting a dowry, and the father's permission is needed for a girl to get married. Dating and sexual intercourse are only permitted within the bond of marriage. So for Muslim youth marriage is the only and direct gateway to becoming close with a person of the opposite gender.

This chapter is about attitudes, ideas and practices related to marriage and gender relations within marriage among Shi'i Muslims living in the Netherlands. I will argue that youth belonging to 'migrated Shi'i traditions' in the western context start to consciously reflect on and discuss traditional interpretations. These reflections concern both Shi'i-legal interpretations and inherited ethnic customs. One of the main features of a living tradition is its dynamic character. I will demonstrate that processes of re-evaluation and re-definition lead to reform from within. As MacIntyre argues, it is not the stability but exactly the conflict within a tradition that keeps it alive. 'Traditions, when vital, embody continuities of conflict' (1981, 222).

The present chapter discusses changes in the tradition due to transplantation from one specific context, the country of origin, to another specific context, the Netherlands. The changes are effected in the first place by using Islamic law against oppressive elements in the culture of parents. In the second place the influence of Dutch culture leads especially among young women to the understanding that aspects of Islamic rules are hostile to women (cf. Amir-Moazami, Salvatore 2003).

This chapter consists of three parts, discussing new developments in specific stages of marriage related practices. In the first part I discuss changes in the process of partner search and dating. The second part is devoted to Islamic contractual agreements and new uses thereof in the Netherlands. In the third and final part of the chapter I discuss gender relations within marriage, especially from the female perspective.

Mating and dating

Ideal partner profile in a minority context

In choosing a marriage partner Shi'i Muslims are bound by one strict religious rule: the future spouse should be a sincere Muslim and good of character.¹⁶⁶

According to Shi'i legislation marriage partners should be recruited within the Muslim community, yet there are no distinctions between Muslims of different Islamic branches.¹⁶⁷

233

Research demonstrates that for migrants living as minorities in a diaspora context the matter of preserving ethnic boundaries is extremely important. As shown by the research of Verkuyten, migrants see it as a priority to preserve both their religious and their ethnic identity and to maintain and continue the standards and values of their tradition (2013, 97, 181-182). Choosing a marriage partner is the ultimate way to maintain ethno-religious lines. Verkuyten furthermore observes that for young Muslim immigrants religion and ethnicity are closely connected but that religion predominates ethnicity as regards identity and identification. Religion is understood as giving guidance on norms and values, while ethnicity stands for a shared ancestry and origin, which is expressed in an own language and own cultural customs (2013, 42, 97-98).

My interviews with Shi'i youngsters show that religion and ethnicity are indeed very important factors in the search for a suitable spouse. In the imaginations of my interlocutors sharing Muslim faith is a first condition for a happy and harmonious marriage. More precisely, the partner should be a Shi'i Muslim. In her study of the Shi'i Muslim community in Dearborn, United States, Walbridge also observes that Shi'i Muslims show a strong preference for marriages within the Shi'i branch (1997, 175-176). Although Shi'i religious authorities write that Sunnis and Shi'is are one *umma* (community of Muslims), my interlocutors do not prefer marriages with

166 See websites of the grand ayatollahs Sistani, <http://www.sistani.org/english/book/46/2062/>, Khamene'i, <http://www.leader.ir/langs/en/>, and Fadlallah, <http://english.bayynat.org.lb/womenfamily/Partner.htm> (accessed 30 April 2015).

167 In Shi'i Islam a man may only enter into a permanent marriage with a Muslim woman, whereas in Sunni Islam a man may also marry a woman who belongs to the People of the Book, i.e. Christian or Jew (Murata 2009, 12).

a Sunni Muslim. They call Sunni-Shi'i alliances 'mixed marriages.'¹⁶⁸

The first reason to refrain from a mixed marriage relates to religious identity and practice of the offspring of a mixed relationship. Muslims generally hold the assumption that the husband has the final say in how the children are raised (Haddad, Lummis 1987, 145).

234

Several of my interlocutors, both male and female, expressed a strong preference for marrying a Shi'i partner in order to avoid division between the couple and within the family once there would be offspring. My interviews showed that in most Shi'i ethnic communities it is an unwritten rule that a Shi'i woman does not marry a Sunni man because the children of such a mixed couple will be Sunni Muslims. A second difficulty my interviewees foresaw with entering into a marriage with a non-Shi'i Muslim is the specific Shi'i attachment to *ahl al-bayt*. This devotion, my interlocutors supposed, would not be understood and experienced by a Sunni marriage partner. Many of my interviewees pointed to *Muharram*, which for Shi'i Muslims is the month of commemorating the events in Karbala.

For the vast majority of my interlocutors it is a matter of course that their future partner will not only be a Shi'i Muslim but also someone with the same ethnic background. As children of migrants they were brought up with a strong sense of group identification, which was often reinforced by the fact that their parents mostly maintained social contacts with members of the same ethno-Shi'i background. My interlocutors claim that good relations between both families and in view of the future offspring need a common basis, which includes a shared language and a range of ethnic customs. In this regard Rafi is a good example. He presented the choice of a marital partner as a family affair. His future bride should fit perfectly into his family, as evidences his following statement,

It is important that she is a Shi'i, and for the mutual understanding it is important that she is Afghan. You know, I myself do not mind if she only speaks Dutch, but I am not the only one involved. My mother, my father, she should be able to get along well with my whole family. And believe me,

168 See websites of the grand ayatollahs Sistani, <http://www.sistani.org/english/book/46/2062/>, Fadlallah, <http://english.bayyinat.org.lb/womenfamily/Partner.htm> and Khamenei, www.leader.ir (accessed 2 November 2013).

what Iranians do is different from what Afghans do and don't do, so there are cultural differences. That is the major difficulty.

Even though Rafi's family members live scattered around in Europe and Northern America, he wants the approval of his family about his future bride. He said,

235

I am free to marry anyone, and I will search for her myself, but my parents and my family must always approve my choice. There are many suitable women, but there is only one mother and one father, and not everyone is your brother. Being together with my wife in the Netherlands, no family around, there will not be any problem. But if families do not go along together well, it will be a burden on the relationship. It will cause trouble. The one family does not approve of this, the other one opposes to that, and I will be in between the two. What do I do in such a case? Do I choose for my wife or for my family? No, I want to avoid such difficult situations.

I noticed that especially my male interlocutors emphasised the family ties. Research among other Muslim migrant groups in the Netherlands also suggests that mainly male youth have a strong preference for the values of their parents (Hooghiemstra 2003, 50-51, De Koning, Bartels 2005, 14).

So far the ideal partner profile of young people does not differ from that of the older generation. Faith, ethnicity and family ties are central. However, the wish lists of my interviewees also contain new characteristics when it comes to an ideal partner profile. Male youth want a partner who is familiar with Dutch society, mainly in order to avoid being responsible for guiding their future spouse in the process of integration and for her learning the Dutch language. For young women the importance of seeking a future spouse in the Netherlands goes beyond such practical matters. They insist that their future marriage partner is familiar with western values, specifically with regard to gender relations within marriage. Shi'i female youth seek for freedom and autonomy within the relationship, as I will demonstrate in this chapter. This observation is also found in other studies among Muslim immigrants in the Netherlands and in other western countries (Hooghiemstra 2003, 50, De Koning, Bartels 2005, 14, Nesteruk, Gramescu 2012, 43, Talbani, Hasanali

2000, 624, Zaidi, Shuraydi 2002, 498). The last part of the wishlist of my interlocutors, male and female, relates to the personal characteristics of a future partner. They deem shared interests, ideals and expectations important for a good relationship. Many of them talk about having a ‘click’ or ‘a good feeling’ as a condition. These are emotions that parents cannot direct, which is one of the reasons that the leading role of parents in partner selection is subject to change, as I will demonstrate below.

Changing views of ‘a good match’

In Muslim societies marriages are first and foremost seen as an arrangement between families. Reputation of the family and economic prospects of the marriage candidate are the main factors that are taken into account in the search for a marital partner. Often a suitable spouse is found within the circle of the extended family and in some regions marriages between first (paternal) cousins are the rule rather than the exception. In earlier times marriages were arranged by parents without any involvement of the children in the process of partner selection. This centuries-old tradition is changing and nowadays youth increasingly have a say in the choice of a partner (Ahmed 1993, 224, Haddad, Lummis 1987, 150-151, Keddie 2007, 35-36).

According to most of my interviewees their parents consider finding a good marriage partner for their children a major responsibility. Indeed, they themselves are almost all married to a partner who was selected by their parents. However, quite a number of interlocutors mentioned feelings of hesitation or sometimes even doubt when it comes to solely relying on their parents’ judgement and social network in finding a suitable marriage partner. Kamran summed up the problem as experienced by many young people. He said,

Once my mother suggested a certain person, a distant niece, and this person – this illustrates the big problem of Afghan youngsters, or maybe even of all Muslim youth in the Netherlands – the person she suggested, although she would be perfectly suitable in terms of background, this girl was a misfit in terms of thought and level of thinking. She was an Islamic girl who knows cooking and other domestic work, but as regards having an

interest in the broader world and possessing intellectual abilities she was completely different. I could not discuss certain issues with her, and she would, for example, never watch a documentary.

Only then did I understand that my mother only sees one aspect of my life, which is the son I am at home. But she does not see the way I interact with my Muslim and non-Muslim friends and others, having debates and intellectual conversations. She does not see the way I take actively part in Dutch society. Her view of my wishes regarding a spouse is based on domestic circumstances. Once I realised this, I understood the real problem. When an Afghan mother suggests a future bride, this might be a nice girl, a good girl in the Islamic sense, but there is a great chance that her son and the girl she selected are not a good match with regard to character. Then her attempt completely fails because there is no click between the two. Mothers do not take the girl's character into account, their only criterion is whether she would fit in the family.

237

The limited scope of his parents was a major concern for Kamran. He felt trapped between the tradition of the family and his personal wishes. First he explained his objection to a marriage within the family, about which he said,

It is so much different over here to marry a cousin, because the relationships are very different. Over here family members are much closer to each other than in the country of origin. Over there, cousins are as it were strangers to each other, and girls wear a headscarf in the presence of male cousins. Over here families are not that extended, so family members are much closer. Consequently, this also counts for cousins, who often have joint family gatherings. They grow up together as it were and know each other very well. It would be strange to see a person one is so familiar with as a potential spouse.

Then he hinted that he was considering disregarding the tradition.

Up till now it never happened within my family, within all our ancestor generations, that someone married a person who was not a family member, let alone someone of another [ethnic] origin. In general Afghans are very

much influenced by their parents when it comes to choosing a marriage partner, just like Pakistani. Usually they marry within the family, with cousins. [...] If I made the choice to marry outside the family, I am sure my parents would be open to that. I think so. Nevertheless they would be upset because they do not even take that option into account, they do not even think of that possibility.

Kamran seriously reflected on deviating from the family tradition because his ideal future bride should be a personality with which he has more things in common than being Shi'i, Afghan and a close or distant relative. He wants his future wife to be an intelligent, educated woman who reflects on things and who has an opinion. Kamran understood that paving his own way in finding a good spouse and simultaneously keeping good relations with his parents would ask the utmost of his persuasive and convincing powers.

Crossing boundaries

Shi'i youths living in the Netherlands are not sure whether in the Dutch context the traditional pattern of partner search guarantees finding the partner they want and hope for. They become increasingly convinced that their generation must take initiatives themselves in order to improve their chances of success on the marriage market. Some among my interlocutors suggest a take-over of responsibilities from parents when it comes to searching a partner. They compare social conditions in the Netherlands to those in the Middle East. In the Middle East, partner search is the responsibility of parents due to the gender segregation, which greatly reduces the opportunities for young people of both sexes to meet. In the Netherlands the situation is reversed, they argue. Parents often live quite isolated from Dutch society, which makes it difficult for them to get an overview of the market of marriage partners. Youths on the other hand have broad social networks and the social media, hence opportunities abound to explore the marriage market. Hamid said the following about this subject,

Over here we interact with the opposite sex, so it has become easier for us. We need no longer follow that aspect of our tradition over here. In my

opinion it is more pragmatic to make use of the means and the possibilities we have at our disposal. If you do not meet someone, you can use the help of your parents, but if you have women around whom you think it might be possible to build a relationship with, why go to your parents with the question to choose someone for you? That would be a pity, because there is progress in this area, especially in the West, so we should make use of that.

239

Interestingly, Hamid, whom I had come to know as someone who scrupulously follows the religious rules of his *marja' al-taqlid*, considers the direct interaction between youth of both sexes in the West as progress, whereas the *maraji' al-taqlid* consider such relations as a potential danger for the continuation of the Islamic tradition in western contexts. Furthermore, we see in Hamid's statement that the boundary between 'us' and 'them' is shifting. 'Them', in earlier chapters referring to non-Shi'i Muslims and Dutch, here relates to the older generation of Shi'is whose practices are based on conditions and interpretations in their country of origin. 'Us' here relates to Shi'i youngsters of various ethnic backgrounds living in the West, who have adapted themselves to western social conditions. As for Hamid, ethnicity has become irrelevant in continuing the Shi'i tradition in the Netherlands, as his words illustrate,

The religious aspect should prevail over the ethnic background. Parents should accept a Shi'i future in-law of a different ethnicity, although this might be difficult for them. I assume that things will change in my generation. For our children it will be different. I would be open to my future children's choice for a marital partner of another ethnic background because I grew up here in the West and I see that people of different ethnicities can easily have happy marriages. My parents are from Iraq, and they are used to one culture, one language, and to all family members having the same customs.

At the moment of our interview, Hamid was preparing for his wedding party. He was about to marry a self-chosen Shi'i woman of mixed Iraqi-French-Italian descent whose Christian mother was a convert to Shi'ism. He met his bride at the Shi'i youth association, where both of them are active members. Where traditionally the children meet their parents' wishes, in this case the parents

had to give in to the arguments of their son. Hamid's parents agreed with his partner choice because his future wife is a devoted Shi'i Muslim woman. Although ethnically mixed Shi'i couples are still a relatively rare phenomenon, their existence is a first demonstration of changes in inherited practices of partner search.

240

Dating Shi'i style

From an Islamic legal perspective, a relationship between a boy and a girl prior to the marriage contract is illegal and not permitted. Consequently, unsupervised dating before marriage is not allowed. Although young Shi'i women have the freedom to interact with male youth, as I discussed in the previous chapter, openly dating a potential spouse is only possible within limitations.

Upon request Hamid told me that his interest in the girl now his future bride arose during joint activities for the youth association. Hamid, a strict follower of his *marja' al-taqlid*, explained to me that Muslim men and women who have the intention to marry are free to interact with each other. He added that such a period should not take too long in order not to harm the reputation of the woman. An unwritten rule says that there can only be a limited number of private meetings in a limited time. Once the two youngsters decide to get engaged, parents start making arrangements to make their commitment Islamically legal.

The same procedure applies when the first encounters between two marriage candidates are established through parents. Iman had confided to me that deep in her heart she hoped for a love marriage, like her Dutch friends. However, instead of a love affair she foresaw a fairly distanced procedure, with her parents doing a pre-selection after which they will give her the opportunity to have three or four meetings with the candidate they deem appropriate. Based on these few talks she will have to decide whether or not she wants to get engaged with the selected man. For her parents it will be unacceptable for Iman and her candidate to meet more often, Iman said. She was convinced that meeting a man three or four times would suffice for her to decide about an engagement. Iman explained that once you are engaged you have the opportunity to meet each other regularly. This period of engagement is meant

to develop feelings for each other and to really discuss expectations and desires about marriage. 'This may sound weird and businesslike, but it is necessary to be sure that both have the same ideas about important matters. Otherwise there will be strange surprises after the wedding, which is far too late,' she said.

Most likely the man Iman will get engaged to will be a stranger for her at the moment of engagement, she explained, but that should change during the period of engagement. 'I would not agree to marry someone, really marry I mean, after having seen him for only three or four times. That is too risky. After all, you will spend your whole life together!' The meaning of Iman's remark with regard to 'real marriage' will become evident in the second part of this chapter. First I will illustrate how young Shi'i Muslims create opportunities to get to know one another before actually informing their parents about their choice.

241

Dating in secret

The short time and the limited options for dating between the first encounter and entering into an Islamic legal liason common within Shi'i ethnic traditions are not sufficient to really get to know each other, according to many Shi'i young people. This is why a part of them creates an illegal interim phase of dating, escaping the early supervision of parents and the wider ethnic community. When I asked Kamran about possibilities for youth to meet out of sight of the family, assuming that it probably was not possible for a girl to meet a boy without supervision of a family member, he started to laugh and said, 'If you only knew!' According to him, many young Afghans have a secret relationship for even three or four years before making their relation known to their parents. These youngsters take time to really get familiar with each other before making the final decision of getting engaged and married. More of my interlocutors indicated that being in a relationship without informing the parents today is the rule rather than the exception in their community. Pardis, for example, said,

It is not necessary to always keep your parents informed in detail about what you are doing, with whom, and how often you see that person. You know, this may sound hypocritical and weird, but our parents just live in a different

world. They have too much to think about, they have their history. In this respect there is a generation gap. But it is not wrong to meet someone more often in order to get to know him better. After all, that is the aim of meeting, to get to know each other better. I am sure that my parents do not expect me to tell them everything in detail, as long as I keep them informed about the most important things, which of course I do. The question how often I met a particular guy is in fact irrelevant. My parents have always trusted me, which gives me a certain responsibility, and I will never ever betray their confidence. So I am always aware of what I am doing, and of why I do it.

I could tell from Pardis' response and tone of voice that she already had some experience in this field, although she did not go into detail and I did not ask further questions. For her it seemed a natural thing to meet male youths in order to find out if they could possibly be a good couple. Her parents had met each other only once before they got married, she told, 'But times are different, societies are different, so ethnic traditions also become different.' She was glad that her parents did not have a rigid attitude and gave her the same freedom and responsibility as her brothers. Pardis account shows that the gap between two generations not necessarily leads to a conflict. Both generations are aware that their tradition is transplanted from one context to another and that as a result the tradition is undergoing changes.

Parisa, married to an Afghan man, had also had considerable freedom to build a relationship with her future husband. Parisa came into contact with him through a mutual friend, who gave both of them the e-mail address of the other. After having been in contact for a while via e-mail they wanted to meet each other. When Parisa informed her mother and asked for permission, her mother agreed, but she warned Parisa to stay out of the gaze of the Afghan community. Parisa stated that a few years ago Afghans were not open to such relationships, but that nowadays many youths have a boyfriend or a girlfriend.

If the subject of relationships was touched upon during interviews, my interlocutors stressed that there were big differences between 'their' relationships and those of Dutch youth. There is no sexual intercourse, they say, and from the very outset the mutual aim is a future marriage. Even if parents are aware of such a relationship, as long as there is no engagement it is not deemed appropriate for the couple to meet their mutual parents.

Parents become involved, according to traditional practice, when the relationship is to be made Islamically legal and officially known within the community. I will discuss this ‘official part of the process,’ as many of my interlocutors refer to it, in the next paragraphs.

Marriage alliances and contractual agreements

Temporary marriage: meeting modern desires

Above I have shown that dating between potential marriage partners is hardly possible if Islamic legal standards are respected. A close relationship between a man and a woman is allowed only within an Islamic marriage. However, Shi‘i youngsters, especially women, are hesitant to immediately enter into a permanent marriage with a relative stranger because according to Shi‘i law only men have the right to terminate a marriage. In this section I discuss how Shi‘i Muslims in the Netherlands - and in other western countries – started to apply a marriage practice, called *mut‘a* marriage (temporary marriage). In the countries of origin the concept of *mut‘a* has a bad connotation because it has always been associated with prostitution. Yet, Shi‘is in the West started to use *mut‘a* in order to create an Islamically legal relationship that allows a man and a woman to get to know one another well and that offers the possibility to terminate the relationship. Before examining the use of temporary marriage in the Netherlands in the following paragraphs, I will explain its practice in the home countries.

Shi‘i Islam knows two types of marriage, permanent marriage (*nikah*) and temporary marriage (*mut‘a* in Arabic, *sigheh* or *sigha* in Persian).¹⁶⁹

A temporary marriage is a marriage for a fixed period of time, which may be from minutes to ninety-nine years, according to the wishes of those involved. In such a Shi‘i legal relationship partners may see and look at each other uncovered, have physical contact and sexual intercourse, and exchange

¹⁶⁹ See websites of the grand ayatollahs Sistani, <http://www.sistani.org/english/qa/search/1718/>, Khamenei, www.leader.ir, grand ayatollah Fadlallah, <http://english.bayynat.org.lb/QA/1a.htm>, and grand ayatollah al-Hakim, <http://english.alhakeem.com/pages/book.php?bi=156&itg=1&s=ca> (accessed 22 November 2013). *Mut‘a* is a specific Shi‘i institution because in Sunni Islam this type of marriage is not recognised. A detailed explication of Shi‘i and Sunni historical viewpoints with regard to the *mut‘a* marriage is given in Murata (2009).

confidences. Besides paying an agreed dowry the husband has no financial obligations to the woman. A *mut'a* contract must include the duration of the marriage as agreed by the marriage partners and the exact dowry the man is to pay to the woman instantly. Such a temporary marriage ends with the expiration of the time period and can be renewed after this date (Haeri 1989, 49-102, al-Hakim 1999, 195, Murata 2009, 42-50).¹⁷⁰ According to Shi'i law a man is allowed to conclude marriages for fixed periods, also next to his permanent marriage, without the obligation to inform his permanent wife about it. Mostly applied as a second marriage of a man with a divorced or widowed woman, the couple negotiates about it independently and perform the marriage in secret, and without any ceremony (Haeri 1989, 33).

Historically *mut'a* was a common practice only in Shi'i centres of learning and pilgrimage, where clerical students and pilgrims lived for a long time at a long distance from their families (Zuhur 2006, 28-29).¹⁷¹ After the Islamic Revolution in Iran temporary marriage became a more popular practice there because it was strongly encouraged by Iranian Shi'i authorities, certainly after the deaths of hundreds of thousands of men during the Iran-Iraq war.¹⁷² Laypeople were made familiar with the specifics of temporary marriage, its divine roots and its relevance in society. *Mut'a* was presented as the appropriate Islamic response to resolving human needs for multiple sexual partners (Haeri 1989, 7-8, Haeri 1994).¹⁷³ In Iraq *mut'a* apparently was never widely practiced. Research indicates that *mut'a* marriage was punishable during the regime of Saddam Husayn and that it regained popularity among Shi'i men after his fall in 2003. The practice is considered unfavourably; Shi'i women and also Shi'i politicians see it as a form of prostitution and exploitation of women (Szanto

170 Both types of marriage have specific conditions regarding partner, contract, guardianship, witnesses, financial obligations, and so on. A detailed description of this can be found in Murata (2009).

171 Also today the Shi'i centres of knowledge and pilgrimage are known as centres for *mut'a* (Fisher, Abedi 1990, 46).

172 During an interview with Boshra Gholami, teacher at Bint al-Hoda Seminary, Qum (3 March 2010) she told me that temporary marriage became a popular and widespread practice in Tehran. Gholami stated that 'many women have a job [in Tehran] and men and women meet each other easily, so there are a lot of dangerous situations in daily life. I think it is a good advice [of the clerics]. Women in Qum hate the institution of *sigheh* because it allows men to have a secret wife.'

173 Although presented as human needs it would be more correct to read 'men's needs', because girls' virginity remained an important symbolic phenomenon (Haeri 1989, 97-98). The premise of the clergy is that men are more sexually motivated and driven than women, and are therefore entitled to have more than one wife at a time. See Mutahhari (1980, part seven), and website of grand ayatollah Fadlallah, http://english.baynat.org.lb/Women/Women_Polygamy.htm#.UqB4T43k5yQ (accessed 5 December 2013).

2012, 51, Zuhur 2006, 28-29). Among the majority of the Shi'i lay people in Iran and Iraq, the institution of temporary marriage is socially frowned on, even if it is a religiously sanctioned concept. Many people regard it as a form of prostitution, and usually the women who enter into such sexual unions are stigmatised (Mir-Hosseini 2007a, 69-70).

With the migration of Shi'i Muslims, the practice of *mut'a* also migrated. In western countries it offers young men the possibility to have an affair - *mut'a* marriage is also known as 'marriage of pleasure' - with western non-Muslim women as long as they make a *mut'a* arrangement.¹⁷⁴ One of my male interlocutors indeed entered several times into long-term affairs with Dutch women, based on a *mut'a* contract. Many Shi'is, however, see in this application of the *mut'a* marriage a negative indicator of a man's attitude toward religion and toward women. This is evident from the following statement of Iman,

245

Sometimes you are confronted with Iraqi culture in a way that does not fit with religion. But some things belong to Iraqi culture and you cannot ignore them, being an Iraqi girl. [...] Once – yes, now we are talking about the Iraqi 'marriage market' - once a boy was interested in me and he wanted to know if we would be good marriage partners. But my father abhorred the idea [in Dutch she said 'hij vond dat absoluut drie keer niks']. He did not like the guy and he felt that I was too young for marriage anyway. The problem was that he liked the parents. They were befriended, and we went there for visits. During these visits there were talks about culture and religion. [...] This boy had already had a few relationships, one of them lasting for three years ... well, this does not go with the way I was raised.

Iman - and her parents - considered a Muslim boy entering into a fixed time marriage with non-Muslim women in the Netherlands as contemptuous towards young Muslim women, and a bad omen for a balanced marriage relationship.

174 Linda Walbridge discusses the practice of *mut'a* marriages from male and female viewpoints among Lebanese Shi'i Muslims in Dearborn, United States. Her findings reveal heavy tensions between religious and cultural norms with regard to *mut'a* (1997, 186-196). In her PhD-dissertation, Tayba al-Khalifa Sharif describes the practice of temporary marriages by husbands of Iraqi refugee women in the Netherlands and the devastating effects of this practice on their marriage relationships (al-Khalifa Sharif 2003, 101).

I think it is not very appropriate to hold on to the idea that a girl should be a holy angel whereas a boy can paint the city red [in Dutch she said 'terwijl een jongen de bloemetjes kan buitenzetten'], yet when he wants to marry he searches for a girl that has always behaved modestly! My father made this very clear to those people. He said to them, "Some people think that Islam is only meant for girls, but that is not true, the rules are valid for both boys and girls." Then the conversation fell silent (laughing). My father was satisfied that he had been so clear, but those people fell silent because they never met anyone with such a way of thinking before. For them it was natural that the rules for boys and girls are completely different. And because my father is very conservative in terms of religion, they thought he would have the same ideas. They were actually a bit shocked that he was so strongly against the double standards. These are moments that make me very proud of my father.

Iman established a direct link between *mut'a* marriages and the gender double standard that is especially common in Muslim families where ethnic habits are more powerful and important than religion.

Several of my other female interviewees reported that they could not reconcile the practice of *mut'a* with the Shi'i principle of equal rights for men and women. One of them, Bayan, a married woman, was very sensitive to the point of equality and inequality between men and women in Islam. She was extremely critical about the religiously sanctioned institution of *mut'a*, as her words illustrate,

I am to follow my *marja' al-taqlid*, and he says that this is allowed, but I absolutely disagree there. Why should this be allowed? Who says so? They [people in the Shi'i heartlands] blindly accept this. But we [the Dutch] do not. Also because we live in this [Dutch] society this raises questions with us about whether polygamy is allowed or not. We learn [in the Netherlands] that it is not done. But according to Islam, our *marja'*, it is. [...] A *mut'a* marriage allows a man to have an extra sweetheart next to his wife, to the detriment of the pride of his wife. How is it possible to trust your husband, even though your faith allows it? This is really incomprehensible to me. I have big doubts about it. Would it be the male scholars' interpretations of the sources, or would it be in the *hadiths* of the Imams?

At the time of our conversation, Bayan was planning to investigate the issue further, particularly its origin and the contemporary explanation and justification by religious authorities.

Not only women but also men among my interviewees showed little understanding for the legitimacy of temporary marriages. In general *mut'a* is denoted as a subject on which religious and cultural understanding diverge. As Rafi put it, 'One can actually not reject what Islam permits, but even Shi'is say, "No, this is not good."' The vast majority of my interlocutors strongly disapproves of *mut'a* because the concept is much abused. It is mostly used for secret relationships. I was told that some men even have four *mut'a*'s next to their permanent marriage, often with Dutch women.

However, the concept of *mut'a* was revitalised in recent decades by Iranian religious scholars, who in the years following the Iranian Revolution started to present temporary marriage as an Islamic substitute for western free gender relations and as a modern means for satisfying the sexual needs of youths. The origin of this innovative interpretation lies with ayatollah Murtada Mutahhari, whose writings on women and gender became official discourse of the Republic of Iran (Haeri 1989, 7-8, 96-98, Haeri 1994, Mervin 2008, Mir-Hosseini 2007a, 23-25). In her research on temporary marriage, Shahla Haeri mentions that the new interpretation of *mut'a*, which she calls 'trial marriage', was popularised by religious authorities to avoid pre-marital relationships common in the West, which were seen as a result of moral breakdown. Like in western countries, due to socio-economic conditions young people in Iran became economically self-sufficient at a later age than before. The average age of marriage had thus risen. In order to bridge the lengthening period from puberty to marriage, non-sexual marriage was introduced to allow for a certain degree of intimacy (Haeri 1989, 97-98).¹⁷⁵

Grand ayatollah Fadlallah went one step further and suggested that the emphasis on the virginity of the girl is a social and not a religious norm. However, because of the possible social consequences he considered it wiser not to break this norm and preferably ask the consent of the father (Mervin

175 During my visit to Iran I spent a weekend with a newly wedded couple, Maysan and Shima, who indeed had a temporary marriage prior to their permanent marriage. They were living at his parents' home. The permanent marriage would be the moment to start an own household. According to them nowadays many youths in Iran opt for this procedure.

2008).¹⁷⁶ Apparently Lebanese youth started to use temporary marriage as a way to date or to get to know a future spouse without violating religious values (Deeb 2010). In this regard it is important to mention three distinct Shi'i aspects of marriage. First, guardianship in Shi'ism is only relevant in case of the marriage of a virgin. Most Shi'i legal scholars state that the approval of the girl's father is a condition. Some Shi'i jurists, among them grand ayatollah Fadlallah, hold that a virgin girl who is intellectually mature does not need the permission of her father.¹⁷⁷ Second, in Shi'i regulations the presence of witnesses is not a condition for the validity of the marriage contract. Third, Islamic marriage contracts offer the possibility to add stipulations (al-Hakim 1998, 230, Mahdavi Damghani 2001, 224-228, Mervin 2008).

Modern applications of fixed time marriage also appear to bring relief to the Shi'i younger generation in the Netherlands, albeit in ways that differ in some respects from what I described above. In the next paragraphs I will discuss how Shi'is in the Netherlands started to use the concept of *mut'a* in two distinct ways, namely for engagement and cohabitation.

Engagement

Traditionally an engagement between spouses-to-be is effected by concluding a permanent marriage (*nikah*). After the *nikah*, the boy and the girl are basically husband and wife, but the girl remains under the tutelage of her father. She still lives in her parental home and the couple is supposed to abstain from having sex. The engagement is the period between the *nikah* and the wedding party. If an engagement based on *nikah* is dissolved before the wedding party, 'thus' before the marriage is consummated, only half of the dowry has to be paid. Ending a *nikah* implies a divorce, which is the prerogative of a man according to religious regulations. Muslim youths in the Netherlands, certainly women, consider the engagement by *nikah* as a big risk, because they themselves have no control and no opportunity to possibly end such a

176 See website of grand ayatollah Fadlallah, http://english.bayynat.org.lb/Editorials/Shariah_TemporaryMarriage.htm#.VVn1medbK3k and <http://english.bayynat.org.lb/WorldofYouth/themes11-1.htm> (accessed 1 May 2015).

177 See website of grand ayatollah Fadlallah, <http://english.bayynat.org.lb/QA/1a.htm> (accessed 1 May 2015).

commitment. In the perception of female Shi'i youths an engagement by *nikah* makes them dependent on a man they barely know.

Shi'i Muslims in the Netherlands – and in other western countries – increasingly use the *mut'a* marriage as a religiously legal solution for an engagement of a fixed period.¹⁷⁸ The concept of *mut'a* offers the possibility of having a Shi'i legal relationship in which both parties can get to know each other better before being bound in a permanent marriage. Its biggest advantage is that both partners have an equal say regarding a termination of the relationship in case it does not feel to be a good match. Compared with *nikah*, which can be terminated only by the man, a *mut'a* contract in this respect gives man and woman an equivalent position. The approach of the concept of temporary marriage I am aiming at is often called non-sexual *mut'a*.¹⁷⁹ This form of temporary marriage differs in three aspects from the 'classical' form of *mut'a*, namely in its intention, in the content of the contract, and in the rituals surrounding the conclusion of the contract.

As for the intention, the non-sexual *mut'a* serves as an engagement, a preliminary stage of a permanent marriage. It is meant to make the future couple *mahram* to each other, which makes it much easier to get to know one another, have private talks, look at one another, hold hands and have bodily contact. Nevertheless, the future bride is supposed to enter into the permanent marriage as a virgin, which is usually concluded immediately after expiration of the temporary marriage.

Second, the *mut'a* contract 'ensures' the preservation of virginity. In Islam a marriage contract renders sexual relations between a man and a woman licit. Characteristic for a non-sexual *mut'a* is its insertion of a mutually agreed clause that there will not be sexual intercourse during the marriage. The dowry is usually a small amount of money.

Third, the contract for the temporary marriage is concluded by an imam, mostly instigated by the parents and in the presence of parents, family and friends. So unlike the practice of 'classical' *mut'a*, which is often a secret

178 The topic of *mut'a* marriage as engagement is for example discussed on the international Shi'i forum ShiaChat.com. See <http://www.shiachat.com/forum/topic/234963462-is-a-long-engagement-period-bad/> (accessed 6 December 2013).

179 Haeri pays attention to the historical use of non-sexual temporary marriage in Iran, mostly used for practical reasons, for example to enable non-*mahrams* to share space or to travel together. Haeri speaks about a *sigheh mahramiyyat*, a distinct form of temporary marriage (1989, 89-96).

marriage that legitimises a sexual union, this type of marriage as engagement concerns a non-secret and non-sexual *mut'a*. The parents of the couple are always closely involved.

250 The ethnic tradition of engagement, either a *mut'a* or a *nikah*, knows a fixed sequence of formalities that are to be observed by the families of the future spouses. It all starts with a visit of the male marriage candidate and his parents to the parents of the female partner-to-be, meant as an introduction of the families. In a second visit the family of the future groom discloses the intention of their visit, namely to ask for the hand of the daughter. In a third meeting the families determine the date of the engagement.

It was *shaykh* Khalkhali of grand ayatollah Sistani's Imam Ali Foundation in London who for the first time drew my attention to this new use of the non-sexual *mut'a*.¹⁸⁰ He told me that this form of *mut'a* was becoming common practice among Iranians as a means for the couple to get to know each other, but that Iraqis still tended to reject the idea as a shameful practice. When I paid a visit to the Shi'i *shaykh* Israfil Demirtekin in Rotterdam in a later stage of my research he confirmed that such *mut'a* practices also occur in the Netherlands.¹⁸¹ Demirtekin mentioned that *mut'a* as engagement has some big advantages 'because it allows the couple to talk confidentially with each other, to be in public space openly, to walk hand in hand if they want so and to even kiss each other.'¹⁸²

During my interviews with young Shi'i believers it turned out that *mut'a* as engagement is indeed a well-known concept that is widely practiced. For many of my interlocutors an engagement implied as a matter of course a non-sexual fixed-time marriage. For Iman it was clear that before having a 'real marriage' there would be an engagement in the form of a *mut'a* contract. Several of my Iraqi and Afghan interviewees who were already married also told me about having had a temporary marriage as engagement. Their *mut'a* contracts were concluded in the presence of an imam, parents, and sometimes also family members and friends.

Shi'is who strongly adhere to ethnic viewpoints reject this new application of

180 Interview with *shaykh sayyid* Muhammad Sa'id Khalkhali, Imam Ali Foundation, London, 3 June 2009.

181 Interview with *shaykh* Israfil Demirtekin, Hicret Mosque, Rotterdam, 11 April 2012.

182 Grand ayatollah Fadlallah also suggests the temporary marriage during the period of engagement. See http://english.bayyinat.org/Women/Women_Engagement.htm#.UqifOo3k5yQ (accessed 11 December 2013).

mut'a. When I raised the idea of *mut'a* as engagement to Hamid, he said, 'Not everyone does this. Apart from religion one should also take culture into account. Our [Iraqi] culture does not accept *mut'a* marriages yet. And when something is accepted religiously but not culturally, it is fine to practise it, but you better keep it to yourself. [...] In general [Iraqi] people do not recognise *mut'a* as a marriage, even though from a religious point of view it is legitimate.' I learned that in some Iraqi Shi'i families the non-sexual *mut'a* as engagement is admittedly practiced as a means for the couple to get to know each other in a religiously legitimate way. Their space of meeting, however, remains limited to the private homes of the family. When I met Umm Ahmad, an Iraqi woman (44) who is social worker and mother, she had recently arranged the engagement of her son and his future wife by a non-sexual *mut'a* of three months in the presence of the imam. She emphasised that in that stage the couple is allowed to spend time together in one of the two parental homes but not in public space.

251

What for young people is the most important advantage of *mut'a* as engagement is considered a danger by the elderly: the possibility of a break-up of the relationship, with the damaged reputation of those involved as a result. About the latter aspect, Homayra said, 'The great advantage of an engagement through *mut'a* is that it is an engagement that can be stopped when the couple appears not to get on well together, whereas a permanent marriage cannot be broken. But beware, a broken engagement raises questions and it damages the image of both bride and groom, so families exert much pressure not to break the engagement, even though one of the two fiancés would want so. In a large part of the [Iraqi] community the general idea is, "Love will come later."' Nonetheless, I also know that the daughter of an Afghan Shi'i *shaykh* in the Netherlands ended her engagement, a non-sexual *mut'a* marriage. When she made her decision known via social media she received responses that suggested compassion and respect from her Shi'i peers. This in my view indicates that an engagement by *mut'a* is by now becoming an accepted form of engagement by youth. *Mut'a* may indeed be an appropriate means to overcome gender inequality in the pre-marital stage of the relationship. One might also conclude that there is a generation gap in this area that will dissolve over time.

Cohabitation

252

The concept of *mut'a* is also popular among Dutch Shi'i converts in order to make cohabitation islamically legitimate. Not surprisingly, this practice is mainly used by couples consisting of a Dutch female convert and a Shi'i Muslim man. After all, the idea of cohabitation is a socially accepted practice in the Netherlands, and the temporary marriage makes the bond legal from a Shi'i point of view, which is important for both spouses. In an early stage of my research I was lucky to be introduced to a circle of Dutch converted Shi'i women. Two of them were at that time in a *mut'a* marriage and intended to have it followed by a *nikah*, a permanent marriage. Four others had had a *mut'a* prior to the *nikah*.

In intention, contract and rituals, the use of *mut'a* for cohabitation is different from the classical temporary marriage and also from the non-sexual *mut'a*. This form differs from the above discussed non-sexual *mut'a* in the fact that it involves a sexual relationship. However, it differs from the 'classic' *mut'a* because it is emphatically meant as a monogamous relationship that excludes other sexual relationships. Concluding a *mut'a* contract for cohabitation is usually a private affair between the couple. It is an oral contract of which the formula is most often pronounced at home, without any witnesses around. Most of my interviewees who actually were or had been in a temporary marriage for the aim of cohabitation agreed on a period of one year. One of them recently renewed the fixed time with a term of twenty years, assuming that before the end of this period they will be married permanently.

Usually the woman decides about the *mahr*, often after mutual consultation. Most women ask for a small gift, like a ring or religious books, or they may ask for a service of some sort from the man, for example to teach her Qur'anic Arabic grammar, *tafsir* (exegesis of the Qur'an), or *fiqh* (Islamic jurisprudence). One of the women said, 'In terms of money my dowry was maybe ten or fifteen euros but the value for me was much more substantial.' Sarah already renewed the temporary marriage with her husband several times. About the *mahr* she said,

Everything goes. Usually I give my husband the possibility to offer what he can afford because he is already paying everything for me, so who am I to ask for anything more? We have already renewed our temporary marriage

several times, and it was up to me to fix the time. The first time I got a pair of sunglasses, the second time I asked for a Qur'an, the third time he gave me some other practical thing, and last year I got a bicycle.

Cohabiting couples in a *mut'a* marriage are not open about the temporary status of their legal bond, mostly because Sunni Muslims reject this practice but also because many Shi'i Muslims do not favour *mut'a* marriages as a vehicle for long-term living together. I discussed the issue of *mut'a* used for cohabitation with Yasser, an Iraqi man of 32 who in the asylum centre in the Netherlands had met the Dutch woman with whom he had been sharing life for a couple of years at the time of our conversation. They had already had a number of successive temporary marriages. Living together based on a *mut'a* contract would be problematic in Iraq, he told me. In Iraq *mut'a* is a taboo because the honour of the family depends on the women. Yet, Iraqi views are irrelevant here, he thought. What counted for him was the religious foundation of their relationship.

253

Earlier in this section I quoted Bayan, who criticised *mut'a* as a possibility to have a secret marriage next to one's permanent marriage. However, she considered *mut'a* as a fixed-time marriage for youth a solution that meets the needs of young people like herself, as evidenced by her words,

In Arab countries the idea is: sexual abstinence, whereas over here it is: sexual practice. When you only have friends around who practise, who can be sexually active, who can live together and date and so on, you realise that you have the same needs. But for us [Muslims] there is no way to practise. Such a *mut'a* may truly become a godsend. For unmarried people it is a very good concept, resembling the idea of cohabitation. And another major point is that in a *nikah* contract a woman cannot take the initiative for divorce, whereas *mut'a* automatically expires. An ideal solution!

Bayan's statement shows that she compares the Islamic mores with the Dutch. Being surrounded by Dutch friends, she became aware of her own desires. She sees *mut'a* as an opportunity to live like her Dutch friends in an islamically approved way.

Marriage contract: restoring gender balance

254

The Islamic framework of the marriage contract (*aqd al-nikah*) is based on the understanding that the husband gets legal authority over his wife in exchange for the payment of a dowry, which makes sexual intercourse between the two lawful. Shi'i legal scholars defined marriage as a contract of exchange and patterned it on the model of a contract of sale. The contract (*aqd*) for a permanent marriage (*nikah*) consists of a formula in which the woman declares that she enters into a marriage relationship with the man for an agreed dowry (*mahr*), upon which the man declares to accept her as his wife.¹⁸³ The dissolution of a marriage contract is virtually reserved for men. Because marriage is a contract both parties can include certain conditions, a possibility that is mostly used to protect women's rights within marriage and for divorce (Ali 2003, 163-168, Haeri 1989, 33-35, Mir-Hosseini 1993, 33-41, Mir-Hosseini, Al-Sharmani & Rumminger 2015, Murata 2009, 7-26).¹⁸⁴

In Iran, where Shi'i regulations are the basis for civil law, pre-printed marriage contracts include a number of clauses and optional conditions that are favourable to the woman and that must be read and, if agreed upon, signed by both spouses. Many of those conditions concern the right of the wife to start a divorce herself (Mahdavi Damghani 2001, 229-232).¹⁸⁵ Kecia Ali calls this 'claiming back rights', arguing that the idea of unequal gender relations is at the root of legal interpretations which, she argues, are far removed from the spirit of the divine revelations (2003, 165).

The basic claims of male authority and unequal gender relations that the Islamic marriage contract entails are unacceptable for most of my female interlocutors. Precisely for this reason it is interesting to see if and how young Shi'i Muslims make use of the possibility of inserting clauses in the marriage contract, as well as their opinions and practices in respect of the bride price.

183 See website of grand ayatollah Sistani, <http://www.sistani.org/english/book/46/2063/> (accessed 15 May 2015).

184 This information is also based on interviews with Dr Hedayatniya, specialist in Islamic family law, Islamic research institute for culture and thought, Qum (Iran) on 28 February 2010, and with four female scholars on Women's studies of Bint al-Hoda Seminary in Qum, Faezeh Amini, Boshra Gholami, Esmat Tabatabaei Lotfi en Fatemeh Tashakori, 3 March 2010.

185 A couple that I got acquainted with in Qum (February-March 2010) showed me their marriage contract, in which each of the pre-printed stipulations was signed by both of them.

Dowry

Mahr is a nuptial gift of the man to the woman registered in the marriage contract.¹⁸⁶ In practice Muslim women usually do not receive the *mahr* at the exact moment of entering into marriage. Upon receipt this gift becomes the property of the woman, or it becomes payable at the time of divorce.¹⁸⁷ There is no set amount for *mahr*. Its practice and value may vary depending on social and legal conditions. For example, in Iran before the revolution, when both spouses had equal rights in matters of divorce and child custody, the *mahr* as a safeguard for woman was no longer considered necessary. In those times and under those conditions *mahr* became an outdated institution. As a result many couples stipulated a minimal bride price of one gold coin or a volume of the Qur'an. After the Iranian revolution men's rights with regard to polygyny and divorce were reinstated and as a result the values of the *mahr* started to increase again (Mir-Hosseini 1993, 72-75).

In my research I saw that *mahr* practices in the Netherlands are based on the one hand on religious beliefs and on the other hand on dowry practices in the countries of origin. My interviewees frequently mentioned that Fatima, the daughter of the Prophet, married Imam 'Ali for a modest dowry and that this should be taken as an example to follow.¹⁸⁸ Referring to the staggering sums of *mahr* the families of some brides-to-be ask for, the grand ayatollahs in their writings disapprove of high dowries.¹⁸⁹ Hamid explained the differences between the religious and the inherited approach in the following words,

Religion says, "The lower the dower, the better the woman." So a father who really cares about his daughter had better keep it low. From a cultural point of view, however, it is argued, "The higher the dower you ask, the more you value your daughter." Sadly, this is completely in contrast to religion.

186 See website of grand ayatollah Fadlallah, <http://english.bayynat.org.lb/QA/1a.htm#The%20dowry> (accessed 1 May 2015).

187 Ghazala Anwar, 'Mahr', in Esposito (2009, 458-459).

188 See website of grand ayatollah Fadlallah, <http://english.bayynat.org.lb/FridaySpeeches/ke29072005.htm> (accessed 15 May 2015).

189 See websites of grand ayatollahs Sistani, <http://www.sistani.org/english/book/49/2414/>, Khamenei, www.leader.ir section Newly Asked Questions, and Fadlallah, <http://english.bayynat.org.lb/QA/1a.htm> (accessed 23 November 2013).

The amount of the dowry is sometimes a point of intense debate during marriage rituals. My interlocutor Rafi recalled a wedding that was dominated by *mahr* negotiations. The family of the bride started asking an amount of 100,000 euros. After long negotiations the *mahr* was ultimately set at 8,000 euros, a reasonable amount according to Rafi. Because in the West families of the spouses are often strangers to each other there is a lack of mutual trust, Rafi explained, which is reason to increase the amount of the *mahr*, certainly within families that are strong on ethnic practices.

I saw that young Shi'is in the Netherlands favour the religious approach and want to get rid of the ethnic practices of *mahr*. Youths are in a pivotal stage with regard to dowries. This is clearly reflected in debates on the Facebook group Ahlalbait4Everyone on the subject of dowry. I will quote some of the comments in a debate on the subject.

Commenter 1: We are the generation that must change the culture, for faith is more important than culture, and according to faith asking a high bride price is wrong.

Commenter 2: How can we convince parents who ask a large amount for their daughter?

Commenter 1: First, the girl should discuss in advance with her parents what they are planning to ask and what the girl wants to ask. If parents want to ask a higher amount than is needed according to the girl, the girl can persuade her parents with good arguments. The example of the Prophet PBUH and the dower he asked Imam 'Ali is a case in point. Money and gold do not mean that a guy loves the girl better, and it does not guarantee that the marriage will be a happy one. But if he gives a Qur'an he gives the word of Allah. More beautiful than anything else, no? I think all parents can be persuaded with a few good arguments, especially when the couple is in love with each other.

These comments reveal that young people are trying to find ways to persuade their parents to reconsider their ideas about *mahr*. When I discussed with Amina the different approaches to *mahr* between the generation of parents, who often want to ask high dowries, and the generation of youth, who are satisfied with a Qur'an, she assumed that these differences disappear in the Netherlands within one generation. She expressed her thoughts as follows,

I think that such high bride prices are something from [the home countries] because over there it is a much more important issue. Someone who wants to practise Islam in the correct way would never ask for a high *mahr*, because a high bride price makes it difficult or even impossible for people to get married, and marriage is strongly encouraged in Islam. Asking a high bride price is diametrically opposed to Islam. It does not require very much religious knowledge to understand that asking a low dower is better. [...] I think that a dower should be a symbolic gift.

My interlocutors did not attach great importance to the dowry, apart from it being a symbolic gift. Most of them mentioned ‘a Qur’an’. Some added a pilgrimage to Mecca, Najaf and Karbala to delve deeper into Islam. ‘I am not a product,’ one of the women stated. Young Muslim women do not want to be seen as a commodity, particularly as this confirms presumed inequality between the sexes. They pointed at the social and legal position of women in the Netherlands. In the same debate on Facebook it was stated that,

In the society we live in, matters are properly regulated by state law. [...] *Mahr* is for women who live in different conditions, being dependent on their husbands, in countries where their position is not protected. In such cases, a dower is a protection for women. I think that making dowry arrangements is not necessary over here.

This latter remark about the legal position is also relevant in relation to the possibility to include special arrangements in the Islamic marriage contract, which I will discuss below.

Stipulations in the marriage contract

Most of the young Shi‘is whose Islamic marriage is concluded in the Netherlands also conclude a marriage under Dutch law. The medical doctor Aref explained that ‘Islam stipulates to follow the laws of the country we live in. After all, this is not an Islamic country, so not being legally married for Dutch law would mean that officially we would be a cohabiting couple.’ For Aref and his wife, as for most of my interlocutors, a legal Islamic marriage can only be

really legal and in accordance with the spirit of Islamic jurisprudence if accompanied by a Dutch civil marriage.

258

Two of my female interlocutors only concluded an Islamic marriage but did not realise a Dutch civil marriage. Only later did they discover that their marriage is not official in the eyes of the Dutch law and that they, or their future children, may possibly lack some aspects of Dutch legal protection. One of them is Homayra. The more she learned about Dutch law during her study, the more she started to read the Qur'an with what she called 'different eyes.' She became aware that her position as a woman with regard to divorce, inheritance and child custody would be stronger in Dutch civil law than in an Islamic marriage. 'I am now only married according to Islamic law, not to Dutch law. According to Dutch law we are a cohabiting couple. But sometimes I think of what would happen in case of divorce. To what extent will the agreements we established in our marriage contract be respected? We only made financial arrangements at the notary, because if he wants a divorce I want to get half of our properties.'

When I asked Homayra if her husband would be willing to get legally married according to Dutch law, she answered, 'No, he does not want that. Hah, please ask him when he comes to pick me up later, will you? He knows that it will make me stronger from a [Dutch] legal point of view and that it will weaken his position. But we are still young. Concluding an Islamic marriage is another step than marrying according to Dutch law. In the current situation I will be empty handed in case of a divorce. I will only have kids when we get legally married according to [Dutch] law, because for the child I want the best. For myself I do not care, I have a university degree.' When Homayra married, she only thought about marriage as a means to make her relationship socially accepted within the ethno-religious community. It legitimised sexual relations and was the gateway to living together and sharing life. Only later did Homayra realise the consequences of her marriage contract and learned that her position as a woman and a mother would be weak in case of a divorce.¹⁹⁰ Homayra as well as several female converts who were in a *mut'a* marriage reported that their husband refused to conclude a civil marriage. All women assumed that the actual reason for the refusal of their partner had to do with the increased duties

190 For an analysis of the legal status of Muslim women in an Islamic marriage that was not registered as a civil marriage, see Rutten (2010).

and lesser rights of the husband in the Dutch civil marriage compared to the Islamic marriage.

The other woman living in an Islamic marriage is Bayan. She married in Iraq, where Islamic marriages are registered as legal civil marriages. Bayan was aware of the consequences of the Islamic marriage contract and wanted to include a provision about divorce conditions in order to correct the imbalance regarding the dissolution of the marriage.¹⁹¹ She told,

259

I had as a condition that I wanted to have the right to start a divorce in case I wanted a divorce. This meant that I took the exclusive right from him to divorce me. By including this stipulation it became also my right to divorce him. He was angry at me about my request. He said, "We are going to marry, and now you start talking about a divorce." Yet, it gave me a good feeling that I would not only be able to enter into a marriage, but also to terminate that marriage. Then he said, "Okay, I agree, but I do not want others to know about this arrangement." It affected his masculinity, you understand. So it ended up being no more than an oral agreement, but later I realised that it was not a wise decision to keep it unknown to others. It would have been better to have it black on white, or to have this condition pronounced in the presence of witnesses, because now I am powerless if I want a divorce.

Bayan here touched on a sore point. Arrangements between future spouses cannot be enforced unless they are written in the contract or registered by witnesses.

The possibility of including special conditions can also be used to make clear the expectations of the spouses for their marriage and their roles within it (Ali 2004). Topics often included are, according to my interviewees, agreements that the woman may finish her study, that there will be no children in the first years of marriage and that the woman is allowed to go out with her friends. My interlocutors however made little use of the possibility to have such clauses registered in the marriage contract. They believed that this would not contribute

191 The conditions stipulated should not be in opposition to the essence of marriage as defined in Shi'i jurisprudence. Ziba Mir-Hosseini gives as an example that a woman can include the condition that gives her the right to divorce, which is legitimate, but that she cannot deprive her future husband of his right to divorce her (Mir-Hosseini 1993, 206, n24).

to a harmonious relationship because everything that is registered in the contract would be a potential point of contention between the spouses. Most of the couples just start living together after the wedding party and when they have a difference of opinion about something they discuss it. Besides, future spouses who can spend enough time together before deciding to get married mostly deem it unnecessary to include extra contractual agreements. Parisa, for example, never considered including clauses in the marriage contract. She said, 'This was not necessary at all. We had plenty of talks about everything beforehand. Look, if you are allowed to get to know someone very well before marriage you have already discussed many things at various moments, you have experienced things together, so you thoroughly know the person whom you marry.'

Many of my interlocutors stressed the difference between social conditions in the Netherlands and in the home countries. Abbas, for example, said, 'Many things do not need to be discussed over here, in Europe, I suppose. I think that such arrangements [in the marriage contract] are made in Iraq because that is a different society. Over here it is normal for a woman to be in public space [...], but over there it is unusual because public space is men's area.' Abbas noted that women who have grown up in the Netherlands see having many freedoms as a matter of course whereas this is not always self-evident in Muslim countries. Comments from female interlocutors confirmed Abbas' statement. My female interlocutors are used to Dutch conditions and many freedoms, so if a future husband as part of discussing marriage expectations and roles would start to discuss what they deem 'obvious topics', such as giving permission to complete a study, to have a job, or to go out alone, this would be reason for most Shi'i young woman to regard such a man as 'not from here' and to end the relationship.

The importance for a couple of having a shared 'Dutch' background and shared views became even clearer to me when Bayan told me about her marriage, where common grounds were largely missing. She married in Iraq with a distant family member who had never been outside Iraq. She had met him when she lived with his family for a while, and the two liked each other. As a visitor Bayan adapted herself unwittingly to Iraqi manners and etiquette. In accordance with Iraqi standards the couple entered into a permanent marriage (*nikah*). In retrospect, she said,

Gradually I realise that we have discussed much but there are many things you do not know before you start sharing life. You do not even know what kind of person he is, so you do not even know which things might be necessary to discuss.

Not long after their wedding Bayan and her husband settled in the Netherlands. Only then did their different understanding of gender relations come to light. Bayan soon discovered that the large differences in their ideas about gender relations became a great obstacle in living the everyday Dutch life she was used to. The couple often had disagreements and Bayan felt that she had to fight her way to freedom as she had never experienced before, as her words witness,

A woman's freedom. That is the whole point. We were raised here by our parents, and we grew up in this society, so we do not want a situation in which we have to ask our husband permission for everything.

Bayan's husband faces her every day with a way of thinking that is, in her words, based on Iraqi heritage. In retrospect she concluded during the interview that the quarrels between her and her husband could have been prevented by a good description of her demands in the marriage contract.

Bayan's statement is another example of how a young Shi'i Muslim distinguishes between Shi'i thought in the Netherlands, accustomed to Dutch social conditions in which women enjoy as much freedom as men, and Shi'i viewpoints from 'there', Iraq, where gender relations in marriage are different. In the next part of the chapter, I will discuss this issue in more detail.

Gender relations within marriage

Gender relations in legal interpretations

In addition to the above components of the marriage contract, including the dowry, there are others that relate to behaviour and power relations within marriage. The contract establishes a number of obligations and rights for both parties, some of which are supported by further religious regulations based on two legal concepts: obedience (*tamkin*) and maintenance (*nafaqa*).

It is the wife's duty to be obedient to her husband and to give him sexual access. In turn, it is the husband's duty to provide for shelter, food and clothing for the wife and children. Thus, the woman's right to maintenance is dependent on her obedience to her husband. If she is not obedient she loses her right to maintenance (Mir-Hosseini, Al-Sharmani & Rumminger 2015, 13-17). I will illustrate how Shi'i young women in the Netherlands create a new balance in marital rights and duties that counters traditional gender structures and gender roles.

Obedience

The principles of gender relations in the Islamic marriage contract are reflected in religious rules governing the relationship between the spouses. These legal interpretations have far-reaching consequences for the personal integrity and autonomy of women, as demonstrated by the following precepts. Grand ayatollah Fadlallah writes,

The man has a right to have a sexual relation with his wife in all circumstances unless there is a legal excuse. She has to oblige and she cannot leave the house if he needs her to satisfy his needs. But if there is no such need we advise the woman, as a precautionary measure, not to leave the house without the husband's permission in accordance with the view of *sayyid* Al-Khoei (May Allah bless his soul), while other jurists believe that she does not have the right, under any circumstances, to leave the house without her husband's permission [italics mine].¹⁹²

The *fatwa* of grand ayatollah Sistani says,

Question: May a woman leave the house without her husband's permission?
Answer: No. In any event, she has to have permission from her husband.¹⁹³

So according to these opinions of the *maraji' al-taqlid* it is a woman's duty to be

¹⁹² See website of grand ayatollah Fadlallah, http://english.bayynat.org/Marriage/Marriage_SocialRelationsMarriage.htm#.Uqg3MY3k5yQ (accessed 11 December 2013).

¹⁹³ See website of grand ayatollah Sistani, www.sistani.org (accessed 15 February 2013).

at her husband's disposal to satisfy his sexual needs. She cannot leave the house without her husband's permission because this would infringe his right of having access to his wife. These rules do not show any engagement with contemporary social reality in the West. Yet some, including my interlocutor Fouzia, are fully prepared to follow the religious rules in this regard. However, young Shi'is who grew up in the Netherlands, particularly women, generally believe that these rules do not reflect modern times and Dutch conditions and that they undermine a balance in gender relations. A striking example is Bayan. She became fond of her husband during her stay in Iraq because he was very nice to her 'and not as macho as most Iraqi men.' Even though he was not a macho, Bayan made an arrangement with her husband about sexual availability with him prior to the conclusion of the *nikah*. She outlined the matter as follows,

Bayan: In Islam, sex is only permitted within marriage and a woman should always be available to the man. Well, no way! I discussed this with my husband before marriage. I told him that I was not willing to always meet his wishes in this respect. I am not an animal. [...] But beware! Your future husband should agree with such a request, otherwise it is not valid.

Annemeik: And?

Bayan: Well, no forced sex in my house. We only have sex when I agree with it and when I like to have sex with him. If we have an argument he can forget it. But (laughing) when I refuse too often he may start thinking, "Hey, you are not the only one to decide about this."

Her husband turned out to be, as Bayan put it, 'from another world: less religious, and guided by cultural habits.' During the first few years of their marriage she had many discussions with him, for example, when her husband started to insist that she needed his permission to leave the house. With an indignant tone of voice she said,

I do not do that! Once we really had a heated argument about that. I have never asked such permission in my life, not even from my parents, but he insisted. I was raised as a responsible person. I was used to be free and to say, "Mama, I am going there." Period. There were some boundaries that I exactly knew and that I respected. If I wanted to go to a party I asked,

“Are you okay with that?” But those were exceptions. But my husband, in his culture, he is accustomed to different procedures.

264 Bayan makes a distinction between her husband’s inherited [Iraqi] standards and her standards in which Shi’i morality and Dutch freedoms go together. Yet, what Bayan called ‘his culture’ is in fact in agreement with the *fatwa* of her *marja’ al-taqlid* Sistani. For Bayan, however, it is self-evident that she is free to move whenever and wherever she wants. This had been the case from childhood on. She was raised as a responsible woman who knows how to behave modestly. Her parents’ growing confidence in western society added to her freedom of movement. Whether or not this freedom is in accordance with the rulings of her religious leader was not part of her considerations. She continued,

I am used to going in and out whenever I want to, but then, when he did not find me when coming home he started calling me to ask where I was. His annoyance about my free coming and going became unbearable for him, and at one point he insisted that I should ask his permission before going somewhere. But I was not willing to do so [in Dutch she said ‘ik zag dat echt niet zitten’]. I said, “I refuse to ask you for permission to leave the house.” I stuck to my point and I said, “If that is what you want, then search for another wife, but I will not give up my freedom.” Then he said, “Okay, leave it.” The roots of this behaviour are really over there [in Iraq].

Her husband’s action was in Bayan’s eyes a display of male superiority lacking Islamic grounds. During the months that Bayan lived in Iraq, where Islamic principles determine the organisation and structure of society and people’s everyday practices, she adapted to Iraqi daily practice and style of living. The differences of view only revealed themselves when she took up her daily life in the Netherlands in the way she was accustomed to, but which was alien to her husband. Only then Bayan was confronted with the, in her view, ethnic notion of female obedience. After sharing these confidences with me Bayan said,

My friends, Moroccan and Dutch girls, have the same opinion. We talk a lot about such things. I also have many friends in the Iraqi community, but they

are different women. They are of a different age, and moreover they have a different education and different thoughts, they live in a different social sphere, yes, they have very different ideas. I would never even think about revealing such issues to them. I only discuss these kinds of things with my friends.

265

Bayan's statement makes clear how much she is aware of the differences between the generation of women who grew up in a Muslim country and her peers who grew up in the Netherlands. With befriended women in the Iraqi community she gathers for religious commemorations and celebrations but she does not share emotions and opinions with them. With her friends, of similar age and education and with Dutch life experience, Bayan discusses personal matters and shares her struggles.

How do men think about the issue of spousal relations? Raady is a former student of the *hawza* in Najaf and as a social worker for a Shi'i human rights foundation in the Netherlands he is often consulted by unhappy Muslim couples. He told me,

Many men have wrong expectations of women. They think the wife should be obedient, like their mother is obedient to their father. But women are not like that any more, and they also should not be like that. Many men have a wrong understanding of the marriage contract.

Raady dismissed the idea that a husband has complete control over the life of his wife. He pointed out that the *nikah* is a legal agreement in which the woman agrees on having sexual intercourse with the man, but that the contract is not a license for a man to dominate his wife.

Apart from grand ayatollah Fadlallah, *maraji' al-taqlid* do not address the behaviour of spouses within marriage. Fadlallah talks about a marital relationship being a cooperative effort in which both spouses try to agree amicably on their respective roles. The husband has no right to authoritarian tyrannical control over his wife, he writes.¹⁹⁴ According to Fadlallah it is wise

¹⁹⁴ See website of grand ayatollah Fadlallah, http://english.bayynat.org/Women/Women_Difference.htm#Uqihm43k5yQ (accessed 11 December 2013).

to strive for harmony, but he nevertheless designates the man as the leading person in a marital relationship.¹⁹⁵ Evidently, also Fadlallah confirms a power relationship within marriage.

266 The majority of my female interlocutors, married and not yet married, opposed to the power relationship within marriage and characterised an ideal relationship as a consensus model. One of them called this ‘the Shi’i poldermodel’.¹⁹⁶ Gender equality is regarded as the main principle of such a Shi’i poldermodel marriage. The Dutch convert Sarah, married to an Iraqi man, said about a relationship within marriage, ‘In Shi’i Islam a woman and a man are equal but each has a different role. Both are free to do as they want to. In order to avoid trouble it is advised to discuss things together. [...] I am not submissive and I do not ask permission. Hah, if I would do so my husband would look at me and say, “What is the matter with you?”’

In interviews and in debates during religious gatherings I learned that many Shi’i Muslim youths, male and female, endorse the idea of both sexes being equal but having different roles. When I talked with the young Turkish student Mustafa (18) about his views on the gender roles in a future marriage he said, ‘I will be the one who earns the money and I want her to take care of the household. [...] And when I come home, I really want her to be at home. Her responsibility is being a homemaker.’ How would he react if his future wife would want to have a job, I asked. ‘It is not necessary for her to have a job. But I would allow her to have a job if she wants to, for two days a week, when she wears *hijab* and when I trust her.’ After a few moments of silence he added, ‘If she has qualifications and wants to work I also want a clever girl. Yes, in fact, if she is a perfect girl and if she wants to have a job, I actually have to accept that.’ Apparently Mustafa only at that very moment realised that a young woman might have capacities and personal ambitions different from domestic work and running a family. At once he recognised that he would have to take into account the wishes of his future wife, which could be different from what he was used to at home and in his immediate community.

195 Debates in the Islamic world on how to interpret the authority of the husband with regard to modern regional developments and local lived realities are discussed in Larsen (2015), Shehada (2009), Welchman (2011).

196 The ‘poldermodel’ is a term that denotes consensus-decision making in the Dutch fashion, which is characterised by slow decision-making processes in which all parties have to be heard.

Maintenance

After consummation of the marriage women have the Islamic legal right to *nafaqa* (maintenance). It is the duty of a man to provide his wife and children with their basic needs, such as food, clothes and housing, irrespective of the wife's own financial means and property (Mir-Hosseini 1993, 46-49, Welchman 2011, 5-6). All my interlocutors, both male and female, married and not yet married, were aware of the notion of *nafaqa* as a duty of the husband and a right of the wife. Hamid, who was about to get married at the time of our interview, said, 'Each of us has an own income, but in the end the man is always responsible for everything. I bought a house for which I pay the mortgage.¹⁹⁷ I pay for food and such things as insurance. My wife can use her money to do whatever she wants to do. She may put it in a savings account or she may buy nice clothes.'

As for the young Shi'i women I found out that they are much aware that the *nafaqa* symbolises women's economic dependence and that it strengthens the traditional role model of the man as the breadwinner and the woman as the homemaker. Nevertheless, my female interviewees were very keen on maintaining the practice of *nafaqa*. Initially I was astonished, because all of them also strongly insisted on being financially independent by earning an income. It did not take long before I understood how their right to *nafaqa* and their financial independence related to each other: *nafaqa* provides women space for negotiation within the marital relationship to achieve personal goals. My female interlocutors are willing to add their income to the family budget under the condition that a joint income also means joint responsibility of the household and of the children. The Afghan not yet married student Pardis expressed her thoughts as follows,

From the Islamic perspective it is true that the husband must provide financially for his wife and for the household. From that point of view I might think, "My money is my money." [...] But in my opinion being married means sharing all responsibilities, so also financial responsibilities. [...] Marital

¹⁹⁷ Hamid explained his view on paying interest for his mortgage, referring to the Islamic ban on interest. He said, 'I asked the bank for a loan, and I get a loan. Subsequently, the bank asks me to pay interest on top of it. I will pay that interest because the law prescribes me to do so. I do not consider this as interest but as a compulsory contribution that I have to pay on top of the repayment. The problem would be different when I grant someone a loan and ask him to pay me interest.'

relationships are different from what they used to be, also because both man and wife have an income. [...] I want to share the household duties and the caring for and education of children, and in that case both incomes will obviously become one shared income.

268 My married female interlocutors shared this view. If there is mutual respect, they said, such matters are arranged by mutual agreement. 'When both interact respectfully with each other the partners automatically share everything,' one of them said.

During my conversation with the social worker Raady, he pointed out that the freedom and financial independence of women has greatly disrupted traditional gender relations. 'Traditional relations within families [...] are influenced by living in the West. The autonomy of women, the strength and power they have here ... they can earn money themselves, or if they have no work they can even receive welfare benefits. [...] Then a relationship cannot be like it used to be, when women were not independent.' The Afghan psychologist Parisa put it this way,

The situation in the Netherlands is very different [from that in Afghanistan]. Over here both men and women are well educated, and many women are financially independent. If both husband and wife have an income, it will automatically lead to equality. Then it becomes self-evident that the one is not inferior to the other, but that there is equality. Then it becomes self-evident that not one of the two has a superior basic position and can command the other.

Having their own income strengthens the position of married women tremendously in their pursuit of equality. It offers space for women to negotiate about traditional gender structures and gender roles within marriage and it forces men to accept more egalitarian attitudes. Finally, it makes women financially independent in case of a divorce.

Conclusion

In this chapter I have demonstrated how marriage and marriage-related practices are undergoing changes due to their transplantation from the country of origin to the Netherlands. I provided insight in reform processes from within the ethno-religious traditions, inspired by circumstances and conditions within Dutch society. Islam is often used as a means for reinterpreting inherited elements of 'migrated traditions' that Shi'i youth consider as no longer desirable in western conditions. But when Islamic legal interpretations are understood as being oppressive and anti-egalitarian, especially in the eyes of women, the women develop counter strategies that undo the gender inequality between the sexes. I discussed these processes of reform in the three distinct stages that are related to marriage: practices prior to marriage, practices related to the marriage contract, and relations within marriage. Before ending up with a conclusion of the whole chapter I will present my findings about continuities and changes by section.

269

In the section about mating and dating I showed how youths' ideal partner profile differs from that of their parents. Having the Shi'i religion and the same ethnic background are criteria they share with their parents. Young people also seek in their partner someone who is familiar with Dutch society, Dutch attitudes and the Dutch language, and who suits them in character. Girls in particular find it important that their future husband is familiar with western values, specifically with regard to gender relations within marriage. As a result, the marriage market of my interlocutors is in the Netherlands. There are hardly any transnational marriages.

Unlike in the countries of origin, where there is gender segregation, Muslim youths in the Netherlands have a better overview of the marriage market than their parents, and they make use of the possibility to interact. As a result young Shi'is gradually start to take over the role that traditionally belongs to parents: looking for a partner. Since ethnic lines in the networks of young people are no longer absolute boundaries, marriages between partners of different ethnic origins slowly begin to appear. The argument they use to convince their parents of having made a good choice is that the religious character of a partner is more important than the ethnic background.

Like Dutch peers, Shi'i youths want to date with their future partner in order

to get to know each other. However, dating does not exist in Islam, since a man and a woman must keep mental and physical distance. Those who abide by the ethno-religious norm in the Netherlands have an opportunity to meet each other only three or four times before they must decide to make their commitment Islamically legal. Others lay aside the written and unwritten religious and ethnic rules and adopt the Dutch model of dating. They extend the time to get to know one another fairly thoroughly by dating, often unbeknownst to parents. Only when they are convinced of being a good couple they involve their parents, knowing that from that moment the traditional preparations for making their bond Islamically legitimate will begin by arranging their engagement and their marriage.

The second part of the chapter is about the Islamic marriage contract. I discussed how the Shi'i concept of temporary marriage is applied in new ways in order to make dating and cohabiting Islamically permitted. As in Islam an intimate relationship between a man and a woman is only legal within the bond of marriage, Shi'is started to apply the temporary marriage, *mut'a*, as engagement. A clause in the *mut'a* contract that excludes sexual intercourse makes the concept of *mut'a* suitable for the two partners to meet each other during a fixed period of time without the future bride losing her virginity. The advantage of a temporary marriage is that it ends after the agreed period. Both the man and the woman can decide at its expiry to continue the relationship or to terminate it. This use of temporary marriage gives young people the opportunity to get to know each other well. It offers both marriage candidates equal opportunities to decide whether or not to have their temporary marriage followed by a permanent marriage. Temporary marriage is also used by couples that want to live together in an Islamically legitimate way. This form of Islamic marriage is mainly used by Dutch converts, for whom cohabitation is a known and accepted concept. Contrary to the non-sexual *mut'a* that is applied for engagements, the *mut'a* for cohabitation serves as a mutual and exclusive commitment for having sex and sharing life and household.

As regards the Islamic marriage contract (*nikah*), which I discussed in the second part of the chapter, I demonstrated that Shi'i youths reject the ethnic custom of asking high bride prices. The younger generation prefers symbolic gifts as dowries, for one thing because this is preferred from a religious point

of view and also because the position of women in the Netherlands is legally protected. Young people who grew up in the Netherlands rarely use the inclusion of special clauses in the Islamic marriage contract, which traditionally serves to protect the woman. First, because it is customary among Shi'i Muslims in the Netherlands to conclude a Dutch civil marriage next to an Islamic marriage, which means that women are assured of a legally equal position. Second, because young people have the opportunity to build a relationship of trust before they enter into a permanent marriage, which renders making arrangements in the Islamic marriage contract unnecessary. Third, because young people take Dutch social conditions and the obvious freedoms of women in the Netherlands as norm.

271

In the third and final part of the chapter I elaborated on unequal gender relations within marriage due to legal interpretations, and the ways in which young Shi'i women redefine the power relations and create power balances. With a single exception, my female Shi'i interlocutors dismiss legal prescriptions stating that a woman must be obedient to her husband. They argue that men and women were created equal. Shi'i young women consider these religious prescriptions as irrelevant and not desirable in Dutch conditions and they dismiss them as ethnic customs prevailing in the home country. An important means of women to renegotiate gender relations in marriage is their financial independence, which is the result of having a good education and consequently an own income. They are not dependent on the maintenance of their husband. This makes women less vulnerable in case of divorce and, more importantly, it offers space to redistribute the rights and obligations arising from the Islamic marriage contract and to create a consensus model within marriage, 'the Shi'i poldermodel.'

All things considered it may be concluded that marriage related practices and gender relationships within marriage among Shi'is have undergone considerable changes. Initiative and decision making about partner choice has to a large extent been taken over by the young generation. Parents help their children when necessary but they no longer have the defining role. Youths stipulate time to get to know each other prior to permanent marriage, either through dating or through a temporary marriage. This means that both the man and the woman are able to decide to continue or to terminate

the relationship, whereas traditionally there is hardly any chance to meet prior to the conclusion of the permanent marriage, a type of marriage that can according to Islamic law only be terminated by the man.

272 With regard to gender relations within marriage, Shi'i women have Dutch freedoms and equal gender relations as their standard. Remarkably, when religious interpretations result in inequalities between man and woman and/or wife, women reject this legislation as unjust, undesirable and not being applicable in the Netherlands. They classify religious rules based on gender inequality and male authority as belonging to ethnic discourse.

7

Towards a Dutch
Shi'i Muslim community

Among the refugees and asylum seekers from Iran, Iraq, and Afghanistan who have arrived in the Netherlands since the 1990s were the toddlers and young children who are now the Shi'i young adults on which my research focuses. They are also the youngsters who grew up in a time in which attitudes towards Muslims in the Netherlands became quite negative. In the 1990s, the Dutch public debate on immigrants changed. Islam was increasingly identified as a problematic factor in the integration of migrants. From the year 2000, voices that consider Islam to be irreconcilable with western values like freedom, democracy, equality and tolerance, have gained influence in the public debate and have supported an approach of assimilation (Vellenga 2008). The tone of the Islam debate hardened after the assaults of 9/11, the bombings in London and Madrid, and the murder on Theo van Gogh. Dutch politicians and publicists started to associate Muslims with activities that are 'dangerous to democracy' and 'harmful for integration', referring to Muslims as a homogeneous group and ignoring the social, religious and ethnic differentiations (Shadid 2006, 19-20).

In those years Salafism, a radical movement within Sunni Islam, started to gain popularity in the Netherlands. Its ideas spread rapidly through the Internet and through *da'wa* activities by informal Salafi networks (De Koning 2014). Shi'i youngsters were increasingly confronted with Muslim peers who support the Salafi ideology, which says that Shi'is are infidels (cf. Meijer 2009, 41). This intra-Muslim opposition did not surface in the Dutch public debate because, as mentioned, opinion makers left aside religious, ethnic and social differences between Muslims. Media coverage and statements by politicians instead further strengthened the stigmatisation and stereotyping of Muslims (De Koning 2009, De Koning 2014, Maliepaard, Gijsberts 2012, Shadid, Van Koningsveld 2004, Shadid 2005).

In this chapter I will discuss how Shi'i youth against this background started to develop a distinct Shi'i discourse. Their aim was to prevent marginality and exclusion, and to survive as a minority tradition. Shi'i youth initiatives illustrate that youth contextualise the Shi'i tradition in order to fit the Dutch context, a development that did not occur within the older generation. The approach of Shi'i youths implies a reinterpretation of the yearly commemoration of *Muharram*, the event par excellence that defines Shi'i identity, to fit the Dutch context. On the other hand it involves a different imagination of the Shi'i

community. Whereas for the older generation their ethno-Shi'i origin defines their community, youths start to regard all Shi'i youngsters in the Netherlands as the Dutch Shi'i community, irrespective of their ethnic origin.

In Anderson's theory of imagined communities, members of a community, although not knowing each other personally, have a common understanding of their community (Anderson 2006, 6). The sense of belonging to such a community is socially constructed on the basis of shared ancestry and history (Hall 2003, 223) or a mythic past (Fazal, Tsagarousianou 2002, 6). The idea of the imagined community offers links to thinking about past, present and future, here and there, and 'us' and 'others'.

According to Shubbar, a member of the Shi'i community in the Netherlands herself, unlike the generation of their parents Shi'i youths feel stronger ties with the Netherlands than with their country of origin. For most Shi'i youngsters, she writes, their future lies in the Netherlands (Shubbar 2006, 21). Sunier calls the rupture in perspectives between the migrant generation and that of their children 'a cognitive shift'. He talks about changing 'points of reference', pointing out that the older generation of migrants focuses on their own ethno-religious community whereas a growing part of the young generation is oriented towards Dutch society, have a command of its language, and interact with it in daily life. For youths, the construction of their Islamic identity is based on Dutch reality (1998, 52-53).

I divided this chapter into two parts. In the first part I discuss the establishment of Shi'i youth associations. The second part is devoted to attempts to unite the various ethno-Shi'i youth communities. In order to make clear the differences in approach between the older and the younger generation, I will in both parts first explain how the elderly organise their affairs and then elaborate on youth activities.

Shi'i youth organisations

Ethno-Shi'i foundations

In the first years after their settlement in the Netherlands, Shi'i Muslim refugee migrants started to establish ethno-Shi'i associations. For the immigrant generation these associations form a home space in the Netherlands

where they gather and are able to communicate in their own language. The main objective of these organisations is to help maintain the ethno-religious identity of its participants and to transfer it to their children. Gatherings mostly have a religious character, following the Shi'i Muslim calendar, in which *Muharram*, *Ramadan*, and the commemorations of *ahl al-bayt* take a central place.

Places of gathering are mostly *husayniyyas* (spaces for Shi'i commemoration and gathering). These *husayniyyas* are spaces that are often hired permanently by Shi'i associations for their religious gatherings. For occasions such as the *Muharram* commemorations, which are attended by hundreds of people, usually larger venues are rented. These spaces are then decorated in style, often with black wall coverings and banners with the names of *ahl al-bayt* in black, green and gold. It should be noted that for Shi'i Muslims *husayniyyas* are more important than mosques. In the Netherlands there are only six Shi'i mosques but there are dozens of *husayniyyas* that are serving as meeting places for local ethno-Shi'i communities.¹⁹⁸

The associations founded by the older generation of Shi'i migrants can be called 'diaspora organisations' in the sense that the elderly still feel strongly rooted in their countries of origin and that they relate their identity to those places of origin. As a result, their activities have an inward focus and relate to the past. The Iraqi economist Mujtaba articulated his annoyance about that as follows,

Look, Europeans are curious, they are open to new ideas, but that does not apply to Iraqis. Iraqis think, "We are the best, we have the best faith." So if Iraqis come to America or Europe, they will not adapt to the environment. All they do is bring their past to here. Iraqis of my parents' generation, they live only with their own circle of Iraqis. Look at how they celebrate *Muharram* here! I still remember how it was celebrated in Iraq and it is exactly the same here. It seems as if you are in Iraq.

¹⁹⁸ Of the approximately 500 mosques in the Netherlands, only six are Shi'i mosques. The Shi'i mosques are Hicret Camii in Rotterdam, On Dort Masumlar Camii in The Hague, Ehl-i Beyt Camii in The Hague, Mehfil-e Ali in The Hague, al-Hussein Mosque in Assen, and Stichting Turks Islamitisch Centrum in Eindhoven. An inventory of Shi'i foundations and mosques in the Netherlands can be found in Neijenhuis (2008, 73-92) .

Liyakat Takim, a Shi'i scholar and an immigrant in the United States himself, makes the same observation as Mujtaba. He states that Shi'i Muslims living in a non-Muslim, secular society cling to their homeland identity and focus on preserving their religious identity. As a result, these immigrants maintain boundaries to protect themselves. Takim contends that this is reinforced by attacks from the side of Muslim 'others', mainly of the Salafis. He argues that for Shi'is now living as a minority within a Muslim minority the preservation of their own tradition is more important than the dialogue with non-Muslims (2009, 65, 187). The latter aspect is precisely what Shi'i youngsters miss in the ethno-Shi'i organisations founded by the older generation: entering into dialogue with Dutch society. Many Shi'i youths consider *shaykhs* as particularly problematic in this regard.¹⁹⁹ The following statement of Kamran is a clear illustration of this,

We will lose our identity, because our own organisations and mosques do not develop at all. Not at all. To date the Dutch language is not used, in none of the Shi'i mosques! [...] So far there is no real *shaykh* in the Netherlands who masters Dutch, or even English. Young people are longing for a *shaykh* [who speaks the Dutch language]. They are longing for Shi'i lectures, based on Shi'i sources, in the Dutch language. But this does not exist.

Young Shi'is experience a lack of religious literature available in the Dutch language. The complaints of my interlocutors about the absence of Dutch speaking *shaykhs* suggest that the connection between *shaykhs* and young Shi'is in general is limited (cf. Mandaville 2001, 121-125). According to several of my interlocutors, the *shaykhs* repeat the *fatwas* of the *maraji' al-taqlid* that can also be found in the *fiqh* manuals. Youths however want to understand the embedment and the way of reasoning behind those rulings. They want tools for their application in the specific Dutch context. Besides, there are issues that are relevant in Dutch society but that are not addressed by the ayatollahs or by the *shaykhs*. These issues relate to the current Dutch public debate on Islam and to certain taboos pertaining to gender relations. In order to fill these knowledge gaps, youth associations have emerged as new spaces of debate,

¹⁹⁹ The title *shaykh* refers to a religiously schooled person. Shi'i Muslims use the term interchangeably with the title *mullah*.

transmission and production of Shi'i knowledge. I will discuss the two initiatives with the largest memberships among Shi'i youngsters: AhlAlbaitYouth and AhlAlbait4Everyone.

Youth associations

AhlAlbaitYouth

AhlAlbaitYouth (in Dutch: AhlAlbaitJongeren), the first Shi'i youth association in the Netherlands, was founded in 2004 by a group of Iraqi and Afghan youngsters as 'an independent organisation for youths who follow *ahl al-bayt*.' With this name the association clearly identifies with Shi'i Islam and emphasises that it is open to all Shi'i youth, regardless of their ethnic background. The website states that the association focuses on bringing understanding and awareness of Shi'i identity and faith by discussing religious thought and Islamic values and norms to Shi'i youth living in the Netherlands. Furthermore it says that the objective of AhlAlbaitYouth is to stimulate integration in Dutch society while preserving Shi'i identity and practice. The association therefore uses Dutch as its language of communication.²⁰⁰

AhlAlbaitYouth quickly developed into an organisation that attracted many Shi'i young people because it offered a space for identification, religious learning and debate. Monthly gatherings are the core of the activities. A website provides the much needed information about Shi'i Islam in the Dutch language. The Facebook group of AhlAlbaitYouth, created in December 2011, serves mainly as a space for communication about the gatherings.

Waiel al-Khateeb, one of the founders, is now the chairman of AhlAlbaitYouth. Al-Khateeb's personal history reflects that of many Shi'i young adults. His parents are both highly educated. However, their knowledge about the Shi'i religion is limited. Thanks to his own research, his family network in Iraq, and his command of Arabic and English, al-Khateeb has gained a lot of religious knowledge. However, he does not have any training in a Shi'i institute of religious learning. He studied medicine in the Netherlands and is working as a medical specialist in a Dutch university hospital. Besides al-Khateeb, who is

200 Website of AhlAlbaitYouth (AhlAlbaitJongeren), www.ahlalibait.nl (latest access 8 June 2015).

the general chairman – ‘no decision is taken without me’ - the board consists of male and female chairmen of the various committees that are responsible for activities and media. Members of AhlAlbaitYouth are expected to pay a financial contribution and to participate actively in one of the committees.

When I discussed with al-Khateeb the significance of AhlAlbaitYouth for young Shi'is, he pointed out that Shi'i youngsters often feel lost when it comes to religion. As soon as youths reach the age of puberty and start to confront their parents with questions about their identity, their faith, and their position in society, most of those belonging to the generation of parents prove to be unable to guide their children, he said. Al-Khateeb observed that many Shi'i parents, including his own, know the basic Islamic rules and practices. Yet, they generally have only limited knowledge of the religion as a belief system, of for example the Qur'an and the Shi'i principles of faith (*usul al-din*). Yet, religious knowledge is necessary to create commitment and power to resist the influence and lifestyle of Dutch secular peers, he argued. Al-Khateeb explained that AhlAlbaitYouth aims to keep youth engaged with Shi'i belief. The association is meant as a space for communal religious practice, for acquiring knowledge about Shi'i beliefs, and for discussing day-to-day problems in Dutch everyday life. This should result in a sense of community among young Shi'is and empower them in encounters with other Muslims and non-Muslims. He expressed the need for the association as follows,

279

Young people need help to function well in this society, as human beings and especially as Muslims. Many young Shi'is practise their faith at home, but once they are outside they want to meet the expectations of the outside world. So at home they do their prayers, but as soon as their friends invite them to come over and drink a beer they join their friends. They have never learned to think for themselves. Yet, if you are convinced of something you are committed to following that way. For many, that conviction is lacking, and their parents are not able to support them sufficiently in this. Young people must find strength within themselves, and most of them are unable to do this on their own.

The issue of youths' need for identification with their religious community, its practices and its beliefs was also raised by Mujtaba. He said the following about his own struggle,

Shi'i youths can be divided into two groups. The first group consists of obedient believers, meek sheep. The second group is the neglected youth [i.e. their questions and need for guidance regarding faith and practice were never recognised], the group I used to belong to. They drink alcohol, go to bars and discos, and for them religion is not important. I was like this too. But at some point you wonder whether you are on the right track. You begin to have doubts. You pick up faith again and start doing research by asking questions. You want to know what is good, and what is not [...]. It is difficult to say, "I am not a Muslim." I am born as a Muslim. It is my identity. I cannot shake it off. Everyone has a basis, and this is mine. At one point I started thinking. I think you have to start searching for truth yourself, so that you can choose.

The appeal of AhlAlbaitYouth is its ability to discuss the meaning of faith related issues, Islamic regulations and Islamic conduct in the Dutch context, and to explain the meaning of Arabic texts and terms in Dutch to help youths understand them. Abbas, a devoted and active member of AhlAlbaitYouth, mentioned the importance of discussing issues with youngsters amongst themselves,

The advantage of the meetings for young people is that no parents are around, so you do not need to be embarrassed when asking a question. As is the case in every community, also in the Dutch one I suppose, not everyone has an open relationship with his or her parents. If young people are amongst themselves it is different. If your dad is around, you may not dare to ask some questions, even though they are real and relevant.

Abbas pointed to issues young people struggle with which are not discussed among the older generation. He mentioned interaction with non-Muslims and interaction between young men and women in Dutch society as the most salient issues. Abbas also stated that the use of the Dutch language is very important. For Shi'i youngsters who grew up in the Netherlands, Dutch is the language they best understand. Moreover, Dutch is useful in encounters with non-Muslims who have questions about Shi'i beliefs. He said,

A great advantage is that we use the Dutch language. Our gatherings are in Dutch, our website is in Dutch, and we try to translate books and articles into Dutch. If, for example, a Dutch classmate asks something about our faith, it is useless to give explanations using Arabic words. It is necessary to have our knowledge ready in Dutch, so that we can easily respond to their questions about our faith in a way they understand.

281

Having religious knowledge available in Dutch helps young people to understand better how to practise their faith. It also helps them to explain their religion and their religious way of life to non-Muslims and other Muslims.

Monthly gatherings are AhlAlbaitYouth's main activity. These gatherings are held in different Shi'i *husayniyyas* in the The Hague-Rotterdam region. In those *husayniyyas*, young men and women gather in one large space. Men and women are seated in two separate groups, without a physical separation. The average number of participants is between fifty and seventy people, women and men in about equal numbers. Many members of AhlAlbaitYouth are active in the diverse elements of the programme. They give presentations, offer Qur'an recitations, make recordings that are later uploaded on YouTube, and they also take care of the preparation and distribution of the meal at the end of the gathering.

The programme of these youth gatherings has a more or less fixed format. It consists of, successively, communal *salat*, Qur'an recitation, a lecture followed by a discussion, communal *du'a* (supplication), and a piece of poetry in Dutch. Every gathering ends with a shared meal. A standard part of the programme is the so-called '*fiqh*-moment', presented by Hamid. In a short presentation Hamid translates the religious precepts of the ayatollahs Sistani, Fadlallah and Khamene'i on a certain topic of the Islamic manuals. As far as I have witnessed the topics mostly belong to the '*ibadat* (acts of worship). Hamid compares the legal opinions and explains their application within the Dutch context.

The main parts of the programme are the lecture and the discussion. Most of the time, al-Khateeb gives the lecture. He opens with a recitation of *surat al-fatiha* (the first verse of the Qur'an), followed by a communal *salawat* (invocation of God's blessing on the Prophet and his family). The content of the lecture corresponds to the theme of the meeting - usually a member of *ahl al-bayt*, *Ramadan*, *eid al-fitr* (the festival of breaking the fast, Sugar Feast), *eid*

al-adha (the festival in honor of the willingness of Abraham to sacrifice his son), *eid al-ghadir* (the commemoration of the Prophet designating his cousin 'Ali as his successor at Ghadir Khumm), or *hajj* – and their significance in the daily life of Muslims in the Netherlands. The discussion following the lecture is usually moderated by al-Khateeb and is connected to the topic of the lecture.

282

As general chairman and lecturer of AhlAlbaitYouth, Al-Khateeb has prestige among the members of the association. He explained that he strives for an open atmosphere during the youth gatherings. A token of this atmosphere, he said, was the comment of some members that lectures and discussions were too difficult for them to understand. From then on it was decided that every gathering would start with a short lecture giving basic information about the subject of the gathering, followed by an opportunity to ask questions. Especially to facilitate those who may feel inhibited to ask questions, al-Khateeb and other leaders within the association mix with the attendees prior to the gatherings. 'We are sitting among them and talk with them about computer games or other common and daily subjects. This creates some openness. Such an open atmosphere is important for the members, for feeling understood and experiencing a feeling of trust.'

The character of AhlAlbaitYouth is one of strict religious thought and practice. Originally the association started as a multi-ethnic initiative with Iraqi and Afghan youths. After some time, however, a dispute arose about veiling. Iraqi members held the view that wearing the headscarf for women during the gatherings was a must, while Afghans wanted women to wear a headscarf only on a voluntary basis.²⁰¹ After the break in 2007, which was the result of this dispute, AhlAlbaitYouth became a predominantly Iraqi organisation both on the level of leaders and members. However, some Iraqi youngsters, do not feel at home in this association. Mujtaba for example said,

I have to adjust too much to them. They preach a particular story, they are nice people, highly educated, they know a lot about Shi'i faith, but simply put, they are black and white.

201 In chapter 5 I discussed the different views on the practice of *hijab*.

Nevertheless, AhlAlbaitYouth has great appeal and value to young Shi'i Muslims. From the short conversations I had after such gatherings with female attendees I learned that they consider the search for knowledge about Shi'i belief, the sharing of experiences, and the community feeling the main binding elements of AhlAlbaitYouth.

AhlAlbait4Everyone

AhlAlbait4Everyone (in Dutch: AhlAlbait4Iedereen) started as a Shi'i youth community in the social media. A young Afghan Shi'i man created the group in 2009 on the social network Hyves. His aim was to counter the ideas on Shi'i Islam that Salafists were spreading on their websites. Within a few months the Hyves community AhlAlbait4Everyone had dozens of members of different ethnic backgrounds. In 2011, AhlAlbait4Everyone shifted its focus from counterbalancing Salafism to empowering Shi'i youngsters by sharing religious knowledge. It also transferred its activities to Facebook, which in that year began to outgrow the Dutch social network Hyves (Leurs 2015, 175-176). As a result the community grew exponentially.²⁰² The number of people who joined the group soon exceeded 3,000. They were mostly Shi'i youths but there were also other Muslims and non-Muslims. In a short space of time the Facebook community expanded into a platform of interaction, communication, and discussion. Topic-based 'threads' initiated by one of the members are continued by other members who respond to the initial comments and any subsequent comments in the discussion topic.

Members of the AhlAlbait4Everyone Facebook community are expected to adhere to 'house rules'. These state that Dutch and English are the languages of communication, that topics should relate to religion, and that offending the religion is not permitted. The house rules also include some rules of decency, such as the requirement that photos, videos and profile pictures comply with Islamic norms.

The limitations that exist in everyday life regarding interaction between the two sexes no longer exist on the Facebook group AhlAlbait4Everyone, which

202 See Facebook group AhlAlbait4Everyone, <https://www.facebook.com/pages/AhlAlbait4iedereenIslam/157329264360937>.

offers the facility to young men and women of all ethnicities to freely discuss questions, experiences and ideas. Thanks to the Facebook group, youth of both sexes can have an open debate. The issues discussed on the site cover a broad range of subjects, from *Ramadan* to prayer, from ‘honesty about virginity?’ to homosexuality, from ‘choosing a *marja*’ to ‘abandoning faith’, and about questions such as ‘what does equality of men and women mean in practice?’ *Hijab* is a recurring and vehemently debated issue, with some threads comprising dozens of comments. The Facebook group is also a channel to disseminate information about youth gatherings.

Once on Facebook, the open character of the group also became a pitfall. Gradually members adhering to the Salafi ideology began to provoke Shi‘i thought and to be offensive in discussions. In order to stop these divisive contributions, community managers decided to change the character of the group in 2014. They created an Ahl al-bayt4Everyone Facebook page as a source of information about Shi‘i Islam. On that page, members can only react to topics, but they cannot open a topic themselves. This makes it an easier manageable channel of communication. The community managers also changed the discussion group Ahl al-bayt4Everyone into a closed group. In order to prevent further Shi‘i unfriendly comments, the community managers drew up additional house rules. These said that extremist persons who disturb the unity among the followers of *ahl al-bayt* will be monitored, and that only those whose identity can be retrieved and whose intention seems pure can be admitted as a member. The discussion group was relaunched with around 1,000 members, one third of the earlier group. The board of Ahl al-bayt4Everyone consists of young people of diverse ethnic background. Members are from different origins, including Afghans, Iraqis, Iranians, Turks, Pakistanis, Moroccans, Belgians and Dutch.

Once Ahl al-bayt4Everyone had built its reputation as a platform for information and discussion about Shi‘i Islam, and after the transfer to Facebook, the board decided by the end of 2011 to expand activities by organising occasional meetings. These meetings, held in Shi‘i *husayniyyas*, serve for internal discussions about living Islam in the Netherlands and for dialogue with ‘the Dutch other’. This is also reflected in the themes of the gatherings, such as ‘Qur’an and Bible’ and ‘World of converts’. Furthermore Ahl al-bayt4Everyone started to organise special events reaching out to Shi‘i

youngsters and to the Dutch general public, Muslim and non-Muslim. Examples of such events include the 'Islamic Workshop Day', with workshops about health, *hijab*, Islamic art and *hadith*, Qur'an recitation, self-defence, and Muslim fundamentalism & radicalisation.²⁰³ Another example is the handing out of roses in busy shopping areas in order to present Islam as a peaceful religion to the Dutch public. In 2014, AhlAlbait4Everyone launched a website that serves as a centre of Shi'i knowledge in Dutch.

AhlAlbait4Everyone, then, quickly grew into an ethnically diverse and gender mixed community that serves as a platform of Shi'i knowledge and debate. Its activities focus on enhancing religious knowledge of Shi'i youth, debating Islamic practice and conduct in the Netherlands, and dialogue within the Muslim community and with the Dutch 'other'.

Building a Dutch Shi'i community

Imagining a shared future

The youth branches of the ethno-Shi'i organisations that were founded by the older generation slowly take over the organisation of gatherings. Nevertheless, youths' voices still have only limited influence. Policies of protecting one's ethno-Shi'i identity and practising 'homeland' rituals in the mothertongue are maintained. During my interview in January 2011 with Kamran, who is not actively involved in one of the Shi'i youth foundations, he pointed at the necessity of building one united and ethnically diverse Dutch Shi'i community. He said,

I think that, if youth foundations continue to operate separately, they are doomed to die. All these mini-communities, they are small and they are too uniform. This prevents development, because all board members and members are cousins and friends, so there is no criticism or discussion, there is only sociability and the 'marriage market'. If we want to keep Shi'ism alive in the Netherlands we will have to join forces. As generations pass, cultural elements will fade. The only thing to keep our identity within the

203 An impression of the Islamic Workshop Day has been published on <http://ahlalbayt4iedereen.nl/media/videos/islamic-workshop-day/> (accessed 19 June 2015).

Dutch majority – [...] whose customs we definitely do not want to adopt – can be a united community as Shi'is. [...] We often practise Islam in the way our friends and family, our fathers and mothers practise Islam. Only if we join forces and build a united Shi'i community, will Shi'ism stay alive in the Netherlands. But things will go wrong if we remain divided in ethnic communities. If you are a minority, or if you are on your own, you are more easily influenced by your environment, your non-Islamic environment, which will then get a grip on you and detract you from Islam. While as a group – a large group, a diverse group – you will keep [the Shi'i tradition] alive.

Leading persons within the different youth communities recognised the needs of youth like Kamran. They took an initiative that would become a turning point in the Shi'i youth community in the Netherlands. In the autumn of 2011, the youth associations announced a joint gathering on the occasion of *Muharram*. Before taking a closer look at this joint gathering, I will first clarify the significance of *Muharram* within Shi'i Islam.

Muharram: the heart of Shi'i piety, the core of Shi'i identity

Every year during the Islamic month *Muharram*, Shi'i Muslims around the world commemorate the tragedy of Karbala (see chapter 1). The core of the *Muharram* ritual is the martyrdom of the son of Imam 'Ali, Imam Husayn. During the first ten days of *Muharram* the suffering of Imam Husayn and his party at the camp of Karbala is memorised and relived. The climax of the commemorations is on the tenth day, 'Ashura, the very day that Imam Husayn was killed by Sunni forces.

The *Muharram* ritual is based on collective lamentation for the death of Husayn in the form of an elegy that tells the narrative of the events of Karbala. In the *Muharram* rituals, religious traditions are combined with ethnic ritual elements. Over the centuries, various elements of dramatisation have been added to the lament. Currently, in many countries a re-enactment of the battle of Karbala precedes the lamentation, either by a recitor who narrates parts of the events of the first ten days of *Muharram* in a lamentation style, or in a passion play (Halm 1997, 41-85, Aghaie 2004, 3-14).

Over the centuries, *Muharram* commemorations have known various

symbolic interpretations and rituals as a result of changing social and political circumstances.²⁰⁴ In the 20th century, lectures were added to the sermons. Over time these lectures got a more prominent place. The sermon often relates to the historical events in Karbala, whereas the lectures place more stress on political and Shi'i identity discourse. Lectures are used for interpretations of the behaviour of the heroes in the battle, accentuating their courage, strength and piety. These virtues are then translated to current time and space. Nowadays, the sermon and the lecture are often combined. From the crying for Imam Husayn and his martyrdom, the purpose of *Muharram* ceremonies has shifted to the necessity to learn from the story of Karbala in contemporary day-to-day life (Aghaie 2004, 72, Deeb 2006, 141-149).

According to Shi'i belief, attending *Muharram* commemorations is important for personal salvation. Shi'i Muslims believe that God answers prayers for forgiveness on the day of 'Ashura more readily than on other days. They also believe that shedding tears increases one's chances for admission to heaven. The Shi'i saying 'A single tear shed for Husayn washes away a hundred sins' is an expression of this (Aghaie 2004, 13, Ayoub 1978, Nasr 2006, 44-50, Schubel 1991, 186). Emotional excitement is a major aspect of *Muharram* commemorations. *Maraji' al-taqlid* encourage the mourning rituals during 'Ashura to remember the suffering of Imam Husayn. Ayatollah Sistani states that mourning for Imam Husayn and his party is recommended and that 'God will reward those who sincerely revive their memories and commemorate their martyrdom.'²⁰⁵ Yet, crying for Husayn is not only an expression of mourning. It is also a protest against injustice and evil in the contemporary world. At the same time it is a reaffirmation of the belief that good will triumph over evil, justice over tyranny, and belief over disbelief (Thaiss 1972, 94). According to ayatollah Fadlallah the latter is the most important aspect of *Muharram* in today's world. In his opinion Shi'is should be an example of strength and vigour. Therefore, he argues, *Muharram* commemorations should bring to the fore the spiritual and intellectual dimensions of the Karbala events instead of putting too much emphasis on emotional excitement.²⁰⁶

204 For the political meanings of the *Muharram* commemorations in Iran and Lebanon, see Aghaie (2001, 2004), Deeb (2005, 2006, 151) and Mottahedeh (1985).

205 See website of grand ayatollah Sistani, <http://www.sistani.org/english/qa/01261/> (accessed 1 June 2015).

206 See websites of the grand ayatollahs Khamenei's, www.leader.ir, and Fadlallah's http://english.baynat.org.lb/worship_rites/ashura_Concept.htm (accessed 1 June 2015).

For Shi'i migrants living in Dutch society, the gatherings during *Muharram* are first and foremost a statement of Shi'i piety. Attending the commemorations became a means to reinforce Shi'i belief and identity in a communal setting. The preachers use this specific occasion - the *Muharram* gatherings I attended in the Netherlands were crowded, like churches in the Netherlands during Christmas and Easter – for educating the community. Their central message is keeping up Islamic morality in a non-Muslim environment, resisting assimilation, and living a good Muslim life in the Netherlands.

In the next paragraphs I will first elaborate on how Shi'i youths experience the yearly *Muharram* gatherings in the Netherlands. After that I will discuss in detail how youngsters reinterpreted the ritual in a special youth gathering.

Traditional Muharram ceremonies in the Netherlands

The *Muharram* ceremonies organised by the older generation of migrants are a reflection of their homeland memories of *Muharram*. Iranian, Afghan and Iraqi ceremonies I attended showed a variety of ethnic *Muharram* rituals in a variety of languages: Arabic, Farsi, Dari, or Urdu, the mother tongues of the migrant generation. In all aspects, the memories of the homeland rituals became the blueprint for practising *Muharram*. Research among Shi'i refugees in Europe showed that for the older generation of Shi'i Muslims, especially for women, commemorating the Karbala tragedy offers a possibility to identify with personal loss and grief, to express sorrows and to experience communality. Those who have lost their family and their social network see the rituals of mourning as rituals in which one's own identity is confirmed and associated with the religious narratives and the sacred history of Shi'ism (Holm Pedersen 2008, al-Khalifa Sharif 2005, 132-133). Several of my female interlocutors indeed mentioned that for their mothers the religious gatherings serve as a space of homeland and of sharing emotions of loss and grief.

However, the young generation does not experience these emotions of nostalgia during *Muharram* gatherings. They do not feel connected to the feelings of sadness and loss. In the eyes of some youths, the social meaning of the *Muharram* commemorations overshadows the religious and spiritual character of the gathering, as the words of Homayra demonstrate. She said,

'The meaning of 'Ashura? Well, you go to the *husayniyya*, something is read aloud in Arabic, then you sit like this [bends her head and put her hands before her eyes], you eat something, you are gossiping, and then you go home.' Others mention that they know the whole ceremony, including the sermon, by heart, and that they only attend the *Muharram* commemorations in order to keep the tradition alive. Rafi expressed this as follows,

You know, what the *mullahs* say, what the clergy say during those days, I already know it all. From the moment they start talking I already know where they are going to end up. It is not for that reason that I attend the gatherings. It is for the sake of our Shi'i belief. On the tenth of *Muharram*, you should just go. It is good to go there. It is not good to stay at home. We go there to keep our tradition alive.

According to Rafi it would make more sense to put an emphasis on Imam Husayn's fight for freedom and just rule than shedding tears for his death.

There is a significant generation gap in the perception of *Muharram* between the older generation, with their own traumatic history, and the generation of Shi'i youngsters. This is reinforced by a new trend to invite *mullahs* from another country to give sermons during *Muharram*.²⁰⁷ Al-Khateeb, the chairman of AhlAlbaitYouth, said that in recent years it has become a matter of prestige to have a preacher from one's home country, or from Canada or the United States. Apart from this causing a kind of a scramble of *mullahs*, also among the countries in Western Europe, this global phenomenon alienates young people even more from the older generation, he explained. The *mullahs* spread what they perceive as normative Islam by inculcating Islamic values, such as segregation of sexes. Really problematic for youths in western countries, and even for some of the older generation, is the *mullahs'* stressing of differences with Sunni Islam, and their call for the construction of boundaries with Sunni Muslims. The older generation of Shi'i Muslims is able to understand these discourses from their personal history, but this type of sermon does not reflect the experiences and needs of young Shi'is living in the West (Takim 2009, 74).

²⁰⁷ *Mullah* (Arabic) or *mollah* (Persian) is the term that used for a person with a Shi'i religious education; the terms *mullah* and *shaykh* are used interchangeably.

The lack of attention for youths' experiences also occurs in the field of language. According to Al-Khateeb there is a language problem that is widely experienced within the young generation. Referring to the Iraqi community he said, 'Every adult speaks Arabic, but the possible problems with language of youngsters is simply ignored. The younger generation is ignored.' Youths do not speak their parents' language as well as Dutch, which is the language in which they have learned to speak, read and write. For youths, attending the *Muharram* gatherings may contribute to a sense of belonging to their ethno-Shi'i community, but in terms of content and language these gatherings do not connect with their needs.

A Muharram gathering for youth by youth

In the autumn of 2011 announcements of a 'unique Muharram gathering', to be held at the 3rd of December, began to appear on Shi'i social media. On the flyer that circulated, all Muslims were invited for a *Muharram* gathering in



Dutch. This commemoration was organised by six Shi'i youth associations: AhlulbaitYouth, Ahlulbait4Everyone, the Afghan youth foundation Sadeqiya, and youth branches of Al-Iman, Hussaini Mission, and Alcauther, being Afghan, Pakistani and Iraqi foundations respectively. The organisers deliberately chose *Muharram* to form a coalition, meant as the beginning of a Dutch Shi'i community.

Flyer of the first united *Muharram* gathering in Dutch

The forming of a unity already started with the creation of an organising committee. Pardis, who was a member of this committee, told me later that cooperation right from the start went really well. 'It was great to work with so many young people who get along well and have a common goal.' This is very different from the Afghan and perhaps also Iraqi associations, she noted. In the ethno-Shi'i associations, where the elderly are the ones who decide, there is a lot of mutual competition and discord. 'There is always criticism, fuss, talk about who has the best programme.' In those associations young people do not feel that the time and energy they devote to it is rewarding, Pardis explained, while organising this joint gathering together with members of other associations was immensely rewarding. 'We all thought, "This is important, for all of us".'

Religious knowledge instead of communal mourning

When designing the program for the gathering, the organisers did not take the traditional *Muharram* rituals as a starting point. Instead, they wanted to meet the needs of youths by focusing on the meaning of *Muharram* in today's world. Their aim was to compose an informative program.

The joint *Muharram* gathering was different from traditional *Muharram* rituals in many respects. First, as already mentioned, the language was Dutch and it was open for Shi'i youth of all ethnicities. Second, the program was strictly scheduled and had a predetermined start and end time, from 1 until 4 p.m.. The organisers kept in mind that the concentration and attention span of attendees is limited, and also that young people have busy programs with study, sports and weekend jobs. The youth gathering was therefore announced two months in advance, via websites and on Facebook, whereas commemorations organised by the older generation are mostly communicated shortly in advance. Third, the program of the gathering was composed with the specific aim to transfer religious knowledge and understanding in relation to the Dutch context. The lecture was chosen as the opportunity to link the morals and values inherent in the *Muharram* narrative with daily life in the Netherlands. Traditionally the sermon consists of narrating a part of the events of the suffering and battle of Imam Husayn and his party during the first ten days of *Muharram* in a lamentation style, in order to evoke the emotions of the

audience. However, those sermons, according to the organisers, lack any explanation about the meaning of the narrative in everyday Dutch life. In this youth gathering the knowledge aspect was much more important than the emotional aspect. It was decided that a lay preacher would deliver the lecture. This lay preacher was Waiel al-Khateeb, who was introduced earlier in this chapter.

Space and audience

When I entered the al-Iman *husayniyya* in Rotterdam on 3 December 2011, I was among the first attendees. Aliye, one of the ‘leading ladies’ in the Shi‘i Afghan youth community, welcomed me. She told me that all organisers were thrilled by the idea of this gathering. ‘We are realising today what our parents have never been able to achieve! We are united by the Dutch language now,’ she said.

The *husayniyya* was decorated as it always is, with distinctly Shi‘i black and green banners with Arabic calligraphy in gold and green on the wall, along with framed pictures of shrines of the Imams. The space has a carpeted floor without chairs, a pillar in the middle that serves as the separation point between the space for men and women. There are two entrances, one in the front and one in the rear, which makes it possible for men and women to enter and leave the space without passing through each other’s area. On the rear wall is a life size image of a *mihrab* (a niche in the wall indicating the direction of Mecca), whereas on the opposite wall the pulpit is placed, a raised dark coloured seat. In front of it is a microphone.

In the next twenty minutes the room gradually filled with young men and women. For the first time I saw crowds of young Shi‘i Muslims of different ethnic backgrounds gathering together. Men dressed in dark clothes, modern and casual, with short hairstyles and trimmed beards. Among the women, Iraqi or Afghan backgrounds were visible by their styles of dress. All of the women wore *hijab*, mostly black for the occasion of *Muharram*. Yet, the Iraqi women were wearing traditional long *abayas* and showed no traces of make up, whereas the Afghan women were dressed very fashionably, some with tailored jackets and fashionable trousers. Their faces and eyes showed heavy use of eye make-up. It struck me that most of the young Afghan women had their headscarves

draped with much more care than I had seen earlier in Afghan gatherings. When I mentioned this later to one of my Afghan interlocutors she said, 'Indeed, you are right. Usually we just throw something over our head. But you know, Iraqi women always wear very neat *hijab*, so instinctively you keep this in mind. We [Afghan women] already attract attention because of our much tighter clothes and our use of make-up.'

The *husayniyya* was already prepared for prayer in the direction of the wall with the image of the *mihrab*. With ribbons and *turbas*, the small clay tablets that Shi'is use for prayer, rows had been created facing the *mihrab*. Men were seated in the front part, women in the rear, but there was no visible separation between the sections for men and women, apart from the pillar serving as a symbolic dividing line.

Communal prayer

The congregational prayer was led by al-Khateeb. After prayer the *turbas* and ribbons were removed and the space had to be rearranged for the program, facing the pulpit. The men took their place in what now became the front part, and women installed themselves in the rear. Again, the pillar was the dividing line.

As announced in the program, the gathering started promptly at 1 p.m., after the congregational prayer. A young man recited Qur'an verses and *ziyarat al-warith* in a melodious voice, seated on the ground floor in front of the audience.²⁰⁸ The Dutch translations of the *ziyarat* texts were projected on a screen. A female member of Ahl al-bait Youth introduced the program sections and the performers. After the *ziyara* she invited 'brother Waiel' to give his lecture and asked the audience for a loud *salawat*, which is an Arabic phrase meant to greet the Prophet and his family and successors.

The lay preacher: religious understanding, shared experience

Al-Khateeb climbed the stairs of the pulpit that looked like a very small *minbar* (Islamic pulpit) and took place on the seat, clothed in what he would later call

²⁰⁸ A *ziyara* is a form of supplication. *Ziyarat al-warith* is recited on the day of 'Ashura to show feelings of grief and loyalty to *ahl al-bayt*.

his 'Muharram outfit' - a black *dishdasha* (ankle length garment with long sleeves) and a black prayer cap. After a first *salawat* he asked for a second *salawat* 'for the love of *ahl al-bayt*' and a third one 'for the appearance of our Imam.' Alternately Imam Husayn was praised in Arabic and Dutch. After another *salawat* for Imam Husayn, al-Khateeb, in his position as preacher, welcomed everyone. He had a special sign of welcome for the turbaned visitor, *shaykh* al-Jizani, a representative of ayatollah al-Hakim from Najaf, who arrived just before the lecture and was seated in the front row. One may ask why this religious authority was a member of the audience, and why it was not him who climbed the pulpit. When I asked al-Khateeb afterwards, he told me that, indeed, this scholar had proposed to do the sermon. However, the organisers had considered a traditional sermon in Arabic not appropriate for the special purpose and the Dutch character of this gathering. Instead they agreed with the representative of the *marja' al-taqid* that he would be available after the meeting for those having individual questions about the observance of Islamic rulings. The very presence of this authority from Iraq contributed, I suppose, to the prestige of al-Khateeb as a preacher. After all, by being in the audience the cleric supported the al-Khateeb's authority.

What did al-Khateeb have to offer more in this gathering than the religious scholar, who was undoubtedly trained in Shi'i *fiqh*? One essential point was al-Khateeb's command of the Dutch language. Another key factor was his understanding of what it means to live as a young Muslim in Dutch society. This is a matter of personal experience: how it feels to be in a minority position, how Islamophobia affects daily life, how one as a Shi'i youth may feel lost due to a lack of religious knowledge and understanding of one's parents and due to the fact that parents cannot empathise with the problems their children experience in Dutch society. In his lecture, al-Khateeb gave evidence of knowing and understanding the inner world, ideas, emotions, doubts and imaginations of Shi'i youngsters. Therefore he was able to hold their attention from the first to the last minute of his lecture.

Al-Khateeb was convincing in his role as a preacher for this audience because, apart from the 'Dutch' knowledge and experience, he also demonstrated thorough religious knowledge. He quoted verses from the Qur'an and the traditions in Arabic, gave the Dutch translation, and then explained the meaning and significance of such a verse or statement. In that

way he made Islamic sources accessible, understandable, and interesting for the young audience. Furthermore, by mentioning specific similarities between the Bible and the Qur'an he demonstrated that his knowledge was not limited to Islamic sources, but that he had also studied the main Dutch religion.

The lecture

The lay preacher demonstrated that enthralling the audience required a performance in which presentation and content reinforce each other. From the moment he entered the space and climbed the pulpit, he radiated calmness. Al-Khateeb's lecture was built around the theme of *taqwa* (piety, devoutness). This theme provided the coherence between the three parts of the lecture. He started by discussing the position of Islam and Muslims in the Netherlands. Al-Khateeb argued that Islam has a system of laws that does justice to every single person. He addressed questions that every Muslim youth in the Netherlands is confronted with, such as matters regarding the inequality between men and women in Islam. In a simple and understandable language al-Khateeb refuted these questions from an Islamic perspective, thus giving young people confidence about their own beliefs and about their ability to rebut the statements of their non-Muslim peers.

When talking about the current atmosphere in the Netherlands vis-à-vis Islam, al-Khateeb quoted the Dutch Member of Parliament Geert Wilders, 'Who stated that he has no problem with Islam, but only with Muslims. And there he might have a point!,' al-Khateeb said with a raised voice. He then kept silent for a second and looked at the audience, holding their attention. An outsider considers every member of a faith community as a representative of that religion, he then argued, and one can only fulfill the role of 'ambassador of Islam' by participating in Dutch society and by demonstrating correct religious practice and conduct, by representing and living Islam as it is meant.

The next topic of discussion was *taqwa* in the sense of having a shield against the temptations in Dutch society that distract from the religious duties and that incite to committing sins. Al-Khateeb rocked gently when giving the example of secretly listening to music. Without *taqwa*, he argued, one lacks power to resist those temptations.

In the final part of the lecture, al-Khateeb described the exemplary *taqwa* of

the family of the Prophet in the toughest conditions, the battle at Karbala. This served as the prelude to the lamentation. As an expression of mourning for Imam Husayn, al-Khateeb alternately went from speech to vocals when narrating the events during the battle and back again. At the most dramatic moments his voice was given an echoing sound by means of the sound system. The audience started sobbing softly, as it is believed that the shedding of tears for Husayn will be rewarded and gives easier entrance to a good afterlife. However, compared with the traditional *Muharram* gatherings this sobbing was brief and restrained, and no boxes with Kleenex tissues were passed, something I saw happening in traditional Iraqi, Afghan and Iranian gatherings.

During his lecture Al-Khateeb often used facial expressions, gestures and movements to support what he said. Many times he let his eyes wander around the audience. He also knew how to use his voice in order to keep the attention. He spoke slowly, in a low voice, and varied in tone and in voice volume. On deliberately chosen moments he was silent. And now and then he asked a rhetorical question. A last aspect that made the performance of al-Khateeb as a preacher convincing was his ability to speak by heart for nearly an hour. During the whole lecture he looked just a few times at his notes, which were written on a piece of paper the size of a cell phone.

'Fiqh moment' and debate

After the lecture Hamid took the stage for the *fiqh* moment. Seated on the lowest step of the pulpit, he gave an elementary explanation on Islamic jurisprudence, clarifying the categories of acts from *halal* to *haram* (see also chapter 2). The examples he mentioned on how to apply these categories in daily life focused on prayer. Based on the interviews I had had with Shi'i youngsters in the context of my research, I myself thought that this information hardly brought any news. It was very basic, and my interlocutors all had pretty good knowledge of religious regulations. However, afterwards I heard that many attendees found it difficult. 'Make no mistake,' Pardis said in the interview I had with her some time after the gathering, 'Many young people have absolutely no idea of those regulations.'

The moderators of the discussion, an Afghan woman and an Iraqi man, stood in front of the audience. The question about finding a balance between

obligations imposed by Dutch society and religious obligations evoked a heated debate. After it was noted by several attendees that, as an individual, one must conform to the Dutch system - 'One cannot buy a house without a mortgage here', 'One can be late in class for once because of prayers, but we must be realistic, one cannot do that for a whole year', and 'If I have an exam it is important to be on time' – the discussion was reversed to situations in which one was able to make choices as an individual. A man in the audience said, 'We should not give so much importance to minor things like the exact time of prayer. Other things are much more important, such as shaving the beard or shaking hands.' One of the attendants argued, 'It is wrong to start by considering faith an obstacle. This demands a lot of negative energy. We should find solutions by using the leeways!' He got broad approval from others, but the discussion leaders devoted little attention to such openings for further debate.

Both men and women took freely part in the debate and responded to each other's contributions. The women around me attentively listened and sometimes nodded or raised their finger to get the microphone for a comment. The debate ended by giving the floor to *shaykh* al-Jizani, who had been in the audience during the gathering. The *shaykh* spoke in Arabic, which was translated on the spot. He expressed his pride for 'the beautiful commemoration of Imam Husayn' and the large attendance. He praised the initiative of the young Dutch Shi'is to have this new form of *Muharram* gathering.

The ceremony ended with a meal, a Persian dish served in the styrofoam boxes used for these occasions, and cans of soda. Men were sitting with men and women with women, along the rows of plastic that were unrolled on the ground. The women I spoke with during this meal were elated. They found the gathering very good, especially because they had learned a lot. One of them said, 'I gained knowledge in my own language, because in Dutch I can understand things much better.' Converts confided to me that for the first time they felt a sense of belonging to the Shi'i community.

Afterwards *shaykh* al-Jizani was available for question & answer-sessions, one with men and one with women, translated by a youngster who masters Arabic. 'Such opportunities are always made use of, especially if it is an authority from Najaf,' al-Khateeb said when I met him later. Asking questions, which may cover very basic things as well as private and work-related problems, to a

religious scholar face-to-face is much easier for people because they can specify their question if needed. As Fouzia said, 'Although there are many websites, face-to-face contact is always better and easier, because I can feel and see whether the scholar has understood my question. If necessary I can clarify my question, or he can clearly reformulate his answer.'

298

Muharram Magazine

A second noteworthy initiative during *Muharram* 2011 was the publication of the glossy *Muharram Magazine* by a small group of close friends who are members of AhlAlbayt4Youth. *Muharram Magazine* was presented as the first Dutch magazine for Shi'i Muslims living in the Netherlands and Belgium. It contained articles on politics, history, living Islam in a non-Muslim country, and Shi'i doctrines and ideas. The objective of the editors was spreading knowledge among the Shi'i youths and contributing to the creation of a Dutch Shi'i community, as is illustrated by the preface of the magazine, written by the editors, which says,

Within our community, a growing number of young people (from 15 to 45) is in need of more in-depth religious knowledge and more unity. Valiant attempts are made to transcend the cultural backgrounds of the different [ethnic] groups. We want to participate in this effort, and for that reason we, a handful of professionals and devotees, have decided to launch this magazine to serve as a platform and to relate to one another. [...] The idea is that we are one Shi'i community and that our ethnicities do not divide us into different groups. The point is that we, as Shi'i Muslims, should influence each other properly, in order to live more and more by the standards of the Qur'an and AhlAlbayt. This is a difficult task, partly because we are not in the Middle East but in a non-Islamic country where many forces want to bring us off balance. We have to adapt and to build strong ties among the Shi'is (and with other believers and non-believers).

The initiators of the magazine invested time and their own money in the project. They wanted to remain independent from sponsors. Because market research shows that paying for a product encourages its using, the editors

deliberately chose to make *Muharram Magazine* a paid magazine so that it would be read and taken seriously. In the most favourable situation it would also circulate and be discussed. With its modern style and design the magazine is attractive for youths. *Muharram Magazine* is a 'glossy', consisting of more than one hundred pages with both text and images. Its cover is in black with dark letters, the colour that represents mourning.²⁰⁹

Regarding the content, the initiators said to have purposefully chosen for what they call 'a scientific approach.' The articles contain a list of references to western, Middle Eastern and Islamic publications. According to Mehdi, editor and initiator of the magazine, the scientific approach increases the level of the magazine's content and is also a statement against the often unclear educational background and knowledge of the *mullahs* in the Netherlands.

The launch of *Muharram Magazine* was announced via Facebook, one week prior to its release, on a special Facebook page. Ordering and payment were through this page and the Internet. The magazine was also sold in many of the Shi'i foundations. However, not all mosques and *husayniyyas* wanted to sell it. The initiators assumed that reasons for this refusal could be the possible loss of authority of the *mullahs* and a perceived competition in the field of religious knowledge, suspicion about the content of the magazine, as it was different from traditional religious publications, or a power struggle between the different ethno-Shi'i communities.

The central argument in the magazine is the *Muharram* slogan 'every day is *Ashura*, every place is Karbala.' In the magazine this slogan serves as a metaphor for good versus evil, East versus West, Muslim versus non-Muslim, and Shi'ism versus Salafism. Main articles are devoted to the worldwide increasing influence of Salafism, describing the political climate in which fundamentalist Islamic movements such as Salafism came into being, and the impact of 9/11 on relations between Sunni and Shi'i Muslims. Most articles on the Shi'i faith 'breathe' *da'wa* in the sense of encouraging youths to be a pious Muslim and stressing the duty of a personal quest for knowledge instead of blindly following parents. 'Do I live the *sunna* of the Prophet Muhammad, or rather that of my parents?' is the title of one of the articles. The reader is

209 Because *Muharram* is a month of mourning people are traditionally dressed in black. Nowadays people tend to extend this on for example Internet fora by switching the layout to a black background with white letters, and changing their avatar on their Facebook page to black.

encouraged to face the dangers of the ‘uninspired’ western society by committing to one’s faith, by gaining religious awareness, by choosing an active attitude towards religion through gaining knowledge, and, lastly, by spreading Islam through deeds.

300 The Karbala-narrative is the basic source of the articles. Throughout the magazine the reader is reminded that following *ahl al-bayt* should lead to self-reflection and an active attitude in ‘living Husayn’s message’, which is presented as a strife between spirituality and worldly affairs. Spirituality in the understanding of the authors is free will, self-awareness, and the purpose of life, whereas worldly affairs characterise aimlessness, apathy, individualism and egoism, materialism, and loss of norms and values. To summarise, *Muharram Magazine* aimed to provide scientific knowledge in order to respond to the need of Shi’i youth in taking a self-conscious position towards ‘others’ in Dutch society, non-Muslims and Salafi Muslims.

A shared future

The overwhelming interest for and positive response to the gathering and magazine of *Muharram* 2011 underlined the great need for religious understanding and knowledge in Dutch and for connecting to the larger Shi’i youth community in the Netherlands. Shi’i youth organisations responded to these needs by organising joint meetings ever since. The *Muharram* meeting in Dutch for Shi’i youth of all ethnicities after 2011 became a yearly recurring event. In 2015 it was announced as ‘the yearly joint *Muharram* gathering.’ The fifth joint *Muharram* gathering had a theme, which was ‘Preserving our faith’. The number of participating youth organisations had augmented to nine. Five of those took part from the outset: AhlAlbaitYouth, AhlAlbait4Everyone, Iman Youth, Sadeqia Youth, and Al-Cauther Youth. Four foundations had joined in later years: Al-Mahdi Foundation, AhlAlbaitNoord and two Iraqi student foundations. The format of the fifth joint *Muharram* gathering was similar to the first one. Again al-Khateeb delivered the lecture.

In these meetings the perpetuity of the message of *Muharram* and its applicability in the modern era and in Dutch society are emphasised. Themes like freedom, justice, and unity were explained and discussed in light of the position of Muslims in the Netherlands and the current Dutch Muslim debate.

In the context of the theme of freedom, for example, the discussion was about whether freedom and religious discipline are mutually exclusive – conclusion: they can reinforce each other - and about different understandings of the concept of freedom of expression. Youth associations also started to develop other joint activities occasionally, such as *Ramadan* gatherings, *Arba'in* gatherings, and Qur'an recitation sessions.²¹⁰

The *Muharram* meeting of 2011 has also revealed the enormous need for an authoritative person who is able to explain Shi'i faith in modern times and in the Dutch context. Whereas before *Muharram* 2011 Wael al-Khateeb was respected among members of the Iraqi association AhlalbaitYouth, after that meeting his fame as a young preacher grew among all Shi'i youths in the Netherlands. Other youth associations began to invite him as speaker. One of the attendees of a meeting of Ahlalbait⁴Everyone expressed that 'brother al-Khateeb is a speaker you want to keep listening to.' In the past few years, al-Khateeb increasingly takes up a position as an authority within the Shi'i youth community. On his Facebook page, created in May 2014, he presents himself as 'a Muslim speaker, specialised physician, president of the AhlalbaitYouth organisation' and as a public figure 'who daily writes inspirational texts and opinion articles.' Those texts respond to the daily news and reality, whether it is the attack on a Shi'i mosque on a Friday during *Ramadan* in Saudi Arabia, or events in Europe or the Netherlands. He also uses his Facebook page to publish video recordings of his lectures. Considering the responses to al-Khateeb's Facebook page, his lectures, opinion pieces and texts are highly appreciated among those following his page, of whom I recognise quite some people as members of different Shi'i youth organisations.

As regards the effect of the joint gatherings, I mention as an example a conversation I had in January 2015 with three Shi'i young men, two of Afghan origin and one from Iraq. Before the joint *Muharram* gathering of 2011 these three men did not know each other. That first joint gathering was really the beginning of a process of change, they told me, for them personally as well as for many other young Shi'is. Having joint gatherings as spaces of Shi'i knowledge and debate eliminated the ethnic boundaries that existed before.

210 *Arba'in* marks the 40th day after the martyrdom of Imam Husayn.

Together, these young men started a project to introduce Imam Husayn as a role model 'for everyone', including the Dutch public. As part of this project, a group of Shi'i youths of various ethnic origins had recently handed out hot chocolate in a shopping area in The Hague and got into dialogue with the Dutch public about Islam and the message of Imam Husayn. 'Five years ago this was unimaginable. We now operate much more together, there is a sense of unity that gives spirit and self-confidence,' one of the men concluded.

Conclusion

In this chapter I discussed a number of initiatives of Shi'i youth in the Netherlands that created a future perspective of a united 'Dutch' Shi'i community. These initiatives took place in a social setting in which there is stereotyping of Muslims and the danger of being marginalised and excluded as a Shi'i minority within the Muslim minority in the Netherlands. The youth initiatives illustrate that youngsters have a strong need to contextualise the Shi'i tradition. This need is lacking in the older generation, who hold on to their mother tongue, their ethnic community and their homeland rituals.

In the first part of the chapter I discussed the establishment of two platforms of Shi'i knowledge and debate, the youth organisation AhlalbaytYouth and the Internet community Ahlalbayt4Everyone, which gradually developed into a youth association. The names alone of these youth organisations show the importance of *ahl al-bayt* in Shi'i belief and for the Shi'i identity. I have analysed how these communities fill a knowledge gap for Shi'i youth and provide spaces for sharing knowledge, experiences and opinions. These platforms especially meet the needs of youths because they focus on religious understanding and meaning in the Dutch context and in the Dutch language. In addition, they provide an opportunity for interaction between male and female youngsters.

In the second part I gave a detailed description of the initiative that was a breakthrough in the formation of a Dutch Shi'i youth community: a joint *Muharram* gathering, organised by AhlalbaytYouth, Ahlalbayt4Everyone and three other Shi'i youth associations. For the Shi'i tradition in the Netherlands to survive, joining forces was deemed to be a necessity. In order to achieve the goal of unity, the organisers have responded to the emotions of young Shi'is

and to their needs. They have chosen *Muharram* as the occasion par excellence for such a gathering. For Shi'i Muslims, devotion to *ahl al-bayt*, especially during *Muharram*, is an important, if not the most important, aspect of identification with Shi'i Islam. Paraphrasing Walbridge, an anthropologist of Shi'i Islam in the United States, devotion to *ahl al-bayt* fills a spiritual void in the lives of Shi'is in a secular, materialistic society. Her argument that a legalistic, scripturalist approach to Islam will not suffice for most Shi'is, if indeed it is attractive at all (Walbridge 1997, 96) is consistent with the findings of my research. *Muharram* is the occasion that always attracts large numbers of Shi'is, even those who are not active religious practitioners during the rest of the year. Furthermore, the theme of *Muharram* is excellent for transposition to the situation of Shi'is in western societies.

The organisers responded to the huge need of youths to learn about Shi'i faith in the Dutch language by having the gathering take place in Dutch. They have put aside the traditional formats of *Muharram* celebrations, with their diversity of ethnic rituals. Instead, they put together a programme that addressed the needs of young people. The program was focused on how to live as a Shi'i Muslim in a western society, how to deal with the temptations, and how to cope with the Dutch public debate. There was a moment of mourning for Husayn but the mourning was more restrained than in traditional *Muharram* gatherings.

The most prominent role in the *Muharram* gathering was for a person who is one of the founders of Ahl al-bayt Youth. He is a layman who is a gifted speaker, fluent in Dutch and Arabic, with more than above average knowledge of Shi'i belief. Importantly, he was raised in the Netherlands and therefore exactly knows the questions and experiences of young Shi'is in everyday Dutch life. Every attendee was listening to him with full attention. Afterwards the audience was very enthusiastic. The joint *Muharram* gathering has been repeated every year since.

As mentioned, this first joint *Muharram* gathering was a breakthrough in the formation of a united 'Dutch' Shi'i youth community. From then on much has changed. Youth organisations jointly started to develop actions and organise joint meetings on other religious occasions. Contacts have been made with Shi'i youth associations elsewhere in the country and also with Flemish Shi'i youth. Ethnic boundaries are fading, Shi'i belief has become the shared background,

and there are more friendships between Shi'i youngsters of different ethnic origins.

General conclusion

‘Eventually we will meet European Shi‘i Muslims over here,’ said *sayyid* Riyad al-Hakim, standing in the doorway to leave the house of an Iraqi family where we had had a meeting with a small number of guests.²¹¹ There was no opportunity to ask what was his idea of a European Shi‘i Muslim.

I had been talking with him about the struggles of Shi‘i Muslim youth in the Netherlands in living a Muslim life.²¹² Shi‘i Islam is dynamic and able to adjust to new circumstances, the *sayyid* had said. He had explained that lay practitioners have the responsibility to act conscientiously and that they must always use their *‘aql* (reason, intellectual capacities) in making decisions on how to act. Knowing about my research, he had pointed out that there are large differences between the various ethno-Shi‘i communities in the Netherlands.

I had already met al-Hakim in February 2010, during my research period in Qum, where he received me in his office.²¹³ During that meeting he told me that his visits to the Netherlands had given him a clear picture of the Dutch living conditions of Muslims and of the problems they are facing. He argued that from the Shi‘i legal point of view many religiously unlawful things were happening in Dutch society, such as free interaction between men and women, the absence of segregation between boys and girls in general, and the Dutch custom of handshaking. ‘Our youth understands that such manners are unacceptable,’ al-Hakim said. ‘We tell them that Muslims should be examples to the world because of their high morality.’ He then expressed his confidence that Dutch people would increasingly recognise the superiority of Islamic moral standards.

These two conversations with *sayyid* Riyad al-Hakim reflect the findings of this study. My research was set out to explore the effect of *fatwas* for Muslims in the West on the practices and lives of Shi‘i young adults in the Netherlands. The

211 *Sayyid* Riyad al-Hakim is the *wakil* (representative) of his father, grand ayatollah Mohammad Sa‘id al-Hakim from Najaf (Iraq). In this position he represents the clerical class of Shi‘i knowledge and authority in Najaf (see chapter 2). In his capacity as a *wakil*, *sayyid* Riyad al-Hakim paid visits to the Netherlands in 2009 and 2010 in order to keep in touch and foster ties with Shi‘i Muslims in the Netherlands. Al-Hakim is a member of the prominent Shi‘i clerical family al-Hakim. Elvire Corboz devoted her PhD dissertation to the transnational influence and authority of the clerical al-Hakim and al-Khu‘i families (Corboz 2010).

212 This conversation took place on 11 December 2010 in the private home of an Iraqi family, with a limited number of invited guests present.

213 This conversation took place on 24 February 2010 in the office of grand ayatollah al-Hakim in Qum (Iran), where *sayyid* Riyad al-Hakim is *wakil*.

outcome is that, indeed, it is fair to say that Shi'i youngsters developed into Dutch Shi'i Muslims. That is, young adults who are making conscious decisions on how to act in a way that from the Islamic point of view is correct and from a Dutch point of view is socially acceptable. As the research progressed, developments within the Shi'i youth community also revealed the emergence of a united Shi'i youth community in the Netherlands.

307

In my study I examined the ways in which religious authority is dealt with and interpreted by faithful youth, the effect of *fatwas* on the lives of young Shi'is, the conflicts between Shi'i and Dutch lifestyles and mores, and perceptions of the West from the perspectives of Shi'i authorities and believers. The survey data were acquired mainly through interviews and by examining the *fatwas* in *fiqh* manuals and on the Internet, and also by attending Shi'i youth gatherings and monitoring Shi'i platforms on the social media.

Major research findings

The first question of this research was which subjects are dealt with in Shi'i jurisprudence for Muslims in the West and what the main differences are with the legislation as applied in Muslim majority societies. It also sought to find out changes in the method of *ijtihad* (independent judgement of a legal scholar in a legal or theological question). My study has shown that the new genre of *fatwas* for Muslims in the West addresses issues relating to both *'ibadat* (worship practices) and *mu'amalat* (worldly affairs, social interactions) that do not occur in similar ways in Muslim majority societies. The research also revealed that the new genre of *fatwas* is not a new approach as regards legal methodology but rather an extension of the scope of Shi'i jurisdiction. The major emphasis of these religious rulings is on issues that regulate the relationships and interactions between men and women.

The second question was to find out the aim of the new *fatwas*, the perspective of the religious authorities in their *fatwa*-giving, and the differences between the *maraji' al-taqlid*. My study has demonstrated that the three *maraji' al-taqlid* in issuing *fatwas* for Muslims in the West aim at the preservation and continuation of religious practices, Muslim identity and Islamic morality in the western environment. The three *maraji' al-taqlid* that are part of this study, the

grand ayatollahs Sistani, Khamene'i, and Fadlallah, consider the non-Muslim environment as a threat to religious commitment and practice. Their views of what constitutes good Muslim practice are based on their own social reality in the Middle East. As a result, the *fatwas* for Muslims in the West hardly take into account the daily reality of Shi'is living in western societies.

308

The third question was to find out whether and how Shi'i *fiqh* for Muslims in the West influences the practices and lives of Shi'is in the Netherlands. Apart from the finding that Shi'is are part of different intersecting discourses, my observations have demonstrated that the *fatwas* have two distinguishable effects. First, the *fatwas* complicate the everyday life of young Shi'i Muslims because they do not correspond to their everyday Dutch reality. Youths therefore make internal judgements about how to put a *fatwa* into practice, thereby taking advantage of the possibility to make their own decision through personal reasoning that is offered in Shi'i legal discourse. Second, *fatwas* offer Shi'i youngsters more opportunities to meet their 'Dutch desires' than ethnic practices. My research demonstrated that *fatwas* are used as means to negotiate with parents about modification of ethnic customary practices in order to meet desires that are inspired by the Dutch environment.

A fourth research question was added due to observations during my study. These observations related to the adaptation of traditional ethno-Shi'i practices to the Dutch social and cultural context, to issues of authority, and to the emergence of united Dutch Shi'i youth community.

In the remainder of this conclusion I will give an overall overview of the empirical findings.

Fatwas for Muslims in the West continuation of legal tradition

Shi'i legal methodology and the new genre of fatwas

The new *fatwas* as a response to new questions and living conditions of Shi'i youngsters in non-Muslim societies cover every aspect of life, which means an extension of the issues that are covered in traditional *fiqh* manuals. The new genre of *fatwas* for Muslims in the West addresses issues that do not occur in similar ways in Muslim majority societies. These *fatwas* relate to both 'ibadat and *mu'amalat*.

As for the legal method used for these *fatwas* there is no new approach in Shi'i legal methodology. The Shi'i scholars I have spoken with in Qum and Beirut praise the flexibility of the Shi'i legal method, *ijtihad*, because legal principles allow for adaptation to new circumstances. Yet, despite the acclaimed potential of the Shi'i method of *ijtihad* to adjust to new situations and contexts, the *maraji' al-taqlid* appear to hardly use principles of *usul al-fiqh*, such as *darura* (necessity) and *haraj* (unbearable hardship). In occasional instances the *maraji' al-taqlid* leave it up to the assessment of the practitioner to determine whether there is hardship (*haraj*) or necessity (*darura*).

The *fatwas* for Muslims in the West should be seen as an addition to existing jurisprudence, a continuation of constant adaptation to new conditions and of constantly making use of new opportunities offered by new technologies and communication tools. Such adaptations have occurred since the availability of printed matter, as I described in chapter 2.

Perspective of authorities on western society and western 'other'

Closer examination of the content of the new *fiqh* manuals revealed that from the perspective of Shi'i authorities migration to non-Muslim countries means leaving the ideal situation of living under Islamic law. The *maraji' al-taqlid* consider living in a non-Muslim society a threat to religious commitment, Muslim identity and Islamic morality. Studying the *fatwas* revealed that the main interest of the *maraji' al-taqlid* is to protect their followers from going astray from Islam. The *maraji' al-taqlid* try to achieve this goal by applying strict conditions, in particular in the field of interaction between men and women. In issuing *fatwas* for their followers in the West, the *maraji' al-taqlid's* views of what constitutes good Muslim practice are based on their own social reality in the Middle East.

All three grand ayatollahs maintain the sharp distinction between Muslims and non-Muslims by means of their *fatwas*. Even though it is true that grand ayatollah Fadlallah is considered a reformer when it comes to women's participation in society, in his *fatwas* related to living in non-Muslim social contexts of the West, he maintains the separation between Muslims and non-Muslims. Fadlallah's *fatwas* are sometimes more lenient than those of Sistani and Khamene'i, but he clearly avoids potential influence from non-Muslims on the lives and behaviour of his followers.

Aim of fatwas for Muslims in the West

310 By exploring the *fatwas* of the *maraji' al-taqlid* in *fiqh* manuals and on the Internet, I found that the genre aims at preservation and continuation of religious practice, Muslim identity and Islamic morality in the western environment. An underlying objective of the new genre of *fatwas* is the contribution to a positive image of Islam among non-Muslims. The *maraji' al-taqlid* assume that proper observance of Islamic moral norms will result in a positive image of Islam among non-Muslims in the countries of settlement. The rationale behind *fatwas* for Shi'is living in the West, as is also illustrated by the above statements of *sayyid* al-Hakim, is that Islamic morality is superior to western moral standards. Therefore Shi'i believers are encouraged to serve as moral examples for non-Muslims. According to Shi'i authorities, Shi'i practitioners are moral examples precisely by abiding by Islamic regulation in their active participation in the western society they are living in.

In *fatwas* that concern relationships and interaction with non-Muslims, the grand ayatollahs leave space for their followers to make personal judgements. However, from the formulation of their *fatwas* it is clear that the Shi'i authorities consider the principles of *haraj* and *darura* only applicable in very severe conditions and after a precise judgement in a specific situation. One may conclude that the *maraji' al-taqlid* make every possible effort to protect their followers from being influenced by the western environment with its supposed lack of morality. In many cases, the *maraji' al-taqlid* refrain from giving instructions for concrete situations that may occur. Instead, they seem to rely on the agency of individual believers as regards influences of the western social context they are living in.

The emergence of a 'Dutch Shi'i Muslim'

Intersecting discourses and practices

The research I carried out has shown that the attitudes of young Shi'i believers toward Shi'i religious regulation varies greatly, and that this is partly attributable to the different ethnic backgrounds of Shi'i Muslims. In some Shi'i communities, religious regulation offers a moral framework, whereas in other communities every single ruling is strictly observed. The latter proved to

be especially the case for many Shi'is of Iraqi origin. One result of these different attitudes is that also *taqlid*, the very start of living according to religious rulings, is practised in a variety of ways, as I discussed in chapter 3. Furthermore, apart from being part of religious and ethnic discourse, young Shi'is feel part of Dutch discourse. Many of the Shi'i youngsters who have been living in the Netherlands from a young age and who have had a school education in the Netherlands are shaped by both Shi'i Islamic and western discourse.

My research revealed that a large part of the Shi'i Muslim youngsters think about themselves as Dutch Shi'i Muslims. That is, Shi'is who consider the Netherlands their place of belonging and who have to figure out for themselves how to be a good Muslim in a Dutch social setting. The being part of three discourses is what distinguishes Shi'i youth from the older generation and from those in the countries of origin.

Contextualising fatwas: balancing between correct practice and the image of Islam

As explained above, the *fatwas* issued specifically for Muslims in the West barely meet the complex and challenging realities of Shi'i youngsters. For those who pursue the strictest possible compliance with religious rulings, the new genre of *fatwas* does not provide solutions that can be applied in the Dutch context without making personal judgements. In chapter 4, I discussed issues that Shi'i youth identified as problematic, which are music, topics related to alcohol, and shaking hands. I illustrated how Shi'i youngsters make internal judgements, because they feel compelled to balance strict compliance with religious verdicts concerning these subjects with contributing to a positive image of Islam. They take into consideration the effect of their actions and the perception of Islam of non-Muslim Dutch people.

My research has shown that Shi'i legal discourse offers Shi'i believers space for negotiation in such complicated situations. The *maraji' al-taqlid* encourage their followers to represent Islam positively for the cause of Islam and for the position of Muslims in western societies. In order to contribute to the positive image of Islam among the majority population, Shi'i authorities call on the individual judgement of the believers to apply the legal opinions in such a

way that Islamic norms are not violated and the influence of the western environment remains limited. The importance of making personal judgements is also reflected in the earlier mentioned statement of *sayyid* al-Hakim that Shi'is should always use their *'aql* in deciding on how to act. These processes of negotiation often result in apparent adaptation to Dutch habits and standards. Shi'i youngsters either use the argument that strict adherence to the *fatwas* would harm the image of Islam, or they argue that practical difficulties (*haraaj*) make it impossible to meet the legal opinions, despite their intention to comply with the religious regulation. Contrary to the viewpoints of the *maraji' al-taqlid*, who allow the application of these principles in occasional situations, most youngsters developed a personal policy in dealing with confrontations that occur on a daily or regular basis. This shows that young Shi'i practitioners use the legal principle of difficulty (*haraaj*) in a much more lenient way than intended by the *maraji' al-taqlid*.

It should be noted, however, that the process of contextualisation of Shi'i youngsters is rooted in Shi'i legal discourse. Although my interlocutors apparently adapt to Dutch discourse, they justify their way of acting from Shi'i legal discourse. The process of negotiation, then, results in making Muslim practice not observable for non-Muslims while being justifiable from the Muslim point of view

Fatwas as means to fight the constraints of ethnic discourse and to meet 'Dutch' needs

Young Shi'is, inspired by the Dutch social and cultural context, sometimes want to make individual choices that deviate from the norm within the ethno-Shi'i community. It should be noticed however that Shi'i youngsters not want to be like their Dutch peers. They aspire to adhere to Islamic practice and morality, but they no longer want to maintain those ethnic practices and rituals they consider to be no longer relevant and meaningful in the Dutch context.

In order to achieve personal objectives, young adults persuade their parents to modify ingrained patterns of action by referring to what is right and allowed according to Shi'i religious regulation. As becomes evident in chapter 6 of this dissertation, Shi'i *fiqh* offers opportunities that help Shi'i youths to achieve their personal goals within the constraints of Shi'i regulation. Examples I discussed

in this respect are the process of partner choice, the application of *mut'a* (temporary marriage) by way of engagement, and ethnic interpretations of the institution of *mahr* (dowry).

Especially my female interviewees repeatedly emphasised the difference between them, modern young Muslim women in the Netherlands, and the older generation of Shi'i women who submit to their husbands. Young Shi'i women in the Netherlands do not seek the sexual liberties of their non-Muslim Dutch peers. What they pursue is having the same freedoms and autonomy as their male Muslim peers. My female interviewees reject traditions that grant male youths complete freedom but subject young women to strict codes. They label these traditions as 'ethnic' rather than 'Islamic'. A clear result of my research is the discovery that young Shi'i women refuse to be subordinate to men and that they link their self-esteem to the position of women in the Netherlands. Some young Shi'i women dismiss religious rulings that undermine the equal positions between men and women. They express a strong resistance against *fatwas* that have the effect of inequality between spouses, mentioning that the vision and the worldview of their *marja' al-taqlid* in this regard belong to 'there', the Middle East. In chapter 6 I illustrated how Shi'i women use the Islamic legal notions of *mut'a* (temporary marriage), *mahr* (dowry) and *nafaqa* (maintenance, the duty of the man to financially support his wife and children) to achieve a situation of equality in the relationship with their (future) husband.

The agency and self-esteem of Shi'i young women is well reflected in the different meanings of the *hijab*, the pre-eminent marker of identity. In chapter 5 I showed that the *hijab* is practised in diverse ways, from an early age or from a later age, full time or only during specific worship practices. Female youths tend to practise the *hijab* in accordance with the standards that apply within their local ethnic community. I have demonstrated that wearing the headscarf has different meanings for women. In religious discourse the *hijab* shapes a Muslim self and builds Muslim agency in a non-Muslim society. Chapters 5 and 6 discussed the *hijab* as an important means for self-control and for sticking to Islamic morality. The headscarf in ethnic discourse serves as a marker of belonging to the local ethnic Shi'i community. In this discourse the *hijab* makes a woman subject to social control by the local ethnic community, which limits her agency and overrides her personal judgement of what they

consider proper and responsible Islamic behaviour. In Dutch discourse women experience their *hijab* as a means to express self-respect and adherence to Islamic morality norms. Apart from being a marker of difference and a counterpart to western sexualisation of women, the headscarf in this discourse serves as a means to express autonomy and agency.

314

A united 'Dutch' Shi'i youth community

Finally, during my research period I discovered the emergence of a united 'Dutch' Shi'i youth community. This development was due to initiatives of some leading figures within the ethnically divided community. In chapter 7 I discussed the development of Shi'i youth associations and a Facebook community for sharing Shi'i knowledge and for debating Shi'i views and practices in the Dutch context and in the Dutch language. I also analysed in detail the first joint meeting organised in 2011 by a number of Shi'i youth associations for the occasion of *Muharram*, the occasion par excellence to express religious commitment and to confirm the distinct Shi'i identity. The joint *Muharram* gathering involved major modifications of traditional mourning rituals as transferred from the countries of origin.

This *Muharram* gathering openly showed the gap between Shi'i religious authorities in the Middle East and lay practitioners in the West. The key figure in this gathering was a Dutch lay preacher who from his own experience as a migrant child has an understanding of the struggles of young Shi'is in Dutch society. During the entire gathering the importance of Shi'i religious regulation for keeping up Islamic morality in the Dutch setting was stressed and explained. Moreover, the Shi'i founding narrative was made relevant for young Shi'i Muslims in their everyday Dutch lives.

Ever since, the youth associations have organised joint gatherings for the occasion of *Muharram*. The lay preacher now has a reputation as an authority among Shi'i youth in the Netherlands, because he has knowledge of the Shi'i sources, the Arabic language, the Dutch language, as well as of Dutch society and its public debate on Islam. In that capacity he acts as an intermediary between the *maraji' al-taqlid* and Dutch Shi'i youngsters in the Netherlands.

'Eventually we will meet European Shi'i Muslims over here'

I end with the statement of the representative of the *maraji' al-taqlid, sayyid* al-Hakim, who said that 'eventually we will meet European Shi'i Muslims' in Europe. His words demonstrate the insight of Shi'i religious authorities that Shi'i Muslim youth, in trying to live as good Muslims, will interpret the rulings in ways that are appropriate in the social context they are living in. In this dissertation I have attempted to explain how the new genre of *fatwas* contributes to processes of negotiation of Shi'i youths in living Islam in the Dutch setting. I have found that the *fatwas* are the object of ceaseless negotiation between theory and practice. Young practising Shi'i believers constantly use their personal judgement to negotiate between the theory of the *marja'* and the complex reality of daily life. The advice of Shi'i authorities to use one's common understanding (*'aql*) in deciding about what is just behaviour in a specific situation provides space for negotiation that gives agency to the individual Muslim practitioner to contextualise the rulings. I have also analysed how the reform of the most important Shi'i ritual, *Muharram*, was the prelude to the coming into being of a united Dutch Shi'i community.

315

This study has shown that not so much the new genre of *fatwas*, but individual and communal efforts of young Shi'i believers ensure the rooting of the Shi'i tradition in the Dutch social context. This corresponds with Asad's idea of a discursive tradition, which is not necessarily imitative of what was done in the past but which is able to adapt to new circumstances, because, paraphrasing Asad, it is the practitioner's conception of what is *apt performance* that is crucial for a tradition (Asad 1986, 14-15).

In the future, and in light of the statement of *sayyid* al-Hakim, my findings could be extended to examine individual and communal developments among Shi'i Muslims in other European countries. In the Netherlands it will be interesting to continue research among Shi'i Muslims in order to follow developments regarding the maintenance of the Shi'i tradition by the present youth, those who were the first considering themselves Dutch Shi'i Muslims.

Summary in Dutch (Nederlandse samenvatting)

Dit proefschrift analyseert de invloed van sjiitische *fatwa's* (religieuze regels) op het leven en de religieuze praktijken van jonge sjiitische moslims in Nederland. Daarnaast besteedt deze studie aandacht aan herinterpretaties van sjiitische rituelen in de Nederlandse context.¹

317

In de laatste decennia van de 20e eeuw zochten grote aantallen sjiitische moslims uit voornamelijk Iran, Irak en Afghanistan een veilig heenkomen in westerse landen, waaronder Nederland. Vanaf de jaren '90 begonnen sjiitische religieuze autoriteiten, groot ayatollahs genoemd, *fatwa's* uit te vaardigen specifiek voor sjiitische moslims die woonachtig zijn in het Westen. *Fatwa's* zijn religieuze voorschriften voor enerzijds correcte uitoefening van religieuze plichten, zoals gebed en vasten, en voor anderzijds allerhande sociale en contractuele aangelegenheden, waaronder – belangrijk in dit onderzoek – de sociale omgang met niet-moslims en met de andere sekse. Door hun *fatwa's* kunnen islamitische rechtsgeleerden dus grote invloed uitoefenen op het leven van sjiitische gelovigen.

Deze studie richt zich op sjiitische jongvolwassenen in Nederland. Deze jongeren zijn gevormd door zowel hun religieuze en etnische achtergrond als door hun jeugd, opleiding en sociale omgeving in Nederland. Zij staan midden in de Nederlandse maatschappij en hebben in hun dagelijkse leven vaak te maken met situaties waarin sjiitische religieuze voorschriften en Nederlandse mores met elkaar op gespannen voet staan. Anders dan de meeste studies over moslims in Europa, die het westerse patroon van normen en waarden als vanzelfsprekend uitgangspunt nemen, heb ik in mijn onderzoek gepoogd het perspectief van jonge sjiitische moslims in Nederland te belichten.

Mijn onderzoek is voornamelijk gebaseerd op interviews. In Nederland had ik diepte-interviews met praktiserende sjiitische jongeren. Bovendien heb ik mij gebaseerd op observaties tijdens religieuze jongerenbijeenkomsten en volgde ik ontwikkelingen binnen de sjiitische jongerengemeenschap in Nederland op sociale media. Daarnaast sprak in Qum (Iran) en Beiroet (Libanon) met specialisten op het gebied van sjiitische religieuze wetgeving

¹ Dit proefschrift richt zich op het twaalver sjiisme, de grootste tak binnen de sjiitische islam.

en met vertegenwoordigers van de groot ayatollahs wiens *fatwa's* in dit onderzoek worden bestudeerd.

318

De notie van islam als een discursieve traditie (Asad, 1986) bleek een waardevol concept te zijn voor mijn studie. Het stelde me in staat de sjiitische traditie te zien als een samenstel van verschillende in de landen van herkomst ontstane religieuze discoursen die in de nieuwe maatschappelijke context van Nederland onderhevig zijn aan herinterpretatie door gelovige sjiieten. De verbindende factor tussen de verschillende discoursen zijn in de sjiitische islam de Koran en de overleveringen van de profeet en de twaalf Imams, de devotie tot *ahl al-bayt* (de familie van de profeet Mohammed), en het martelaarschap van Imam Husayn bij Karbala, de belangrijkste gebeurtenis in de sjiitische geschiedenis. De machtsverhoudingen die volgens Asad in de discursieve traditie een belangrijke rol spelen betreffen interne machtsverhoudingen tussen allerhande groepen. In dit onderzoek gaat het dan om de verhouding tussen de religieuze autoriteit en de individuele gelovige en om onderlinge verhoudingen tussen moslims, tussen sjiieten van verschillende etnische herkomst, en tussen de oudere en de jongere generatie.

Om een antwoord te vinden op de vraag welk effect *fatwa's* hebben op het leven van sjiitische jongvolwassenen in Nederland is in deze studie eerst gekeken naar de relatie tussen religieuze autoriteiten en gelovigen in de sjiitische islam. In de sjiitische doctrine houdt deze relatie in dat gelovigen verplicht zijn één rechtsgeleerde te selecteren en diens *fatwa's* te volgen. De rechtsgeleerden die de grootste schare aan volgelingen in het Westen hebben zijn de groot ayatollahs Sistani, Khamene'i en Fadlallah. De *fatwa's* voor moslims in het Westen zijn derhalve grotendeels van hun hand. Voor de communicatie met hun volgelingen omarmden deze sjiitische geleerden in een vroeg stadium het internet. Hiermee zetten ze de aanpak van hun voorgangers voort. In de geschiedenis hebben de sjiitische rechtsgeleerden altijd gebruik gemaakt van technische ontwikkelingen op het gebied van communicatie om zoveel mogelijk volgelingen en potentiële volgelingen te kunnen bereiken.

Gelovigen die twijfelen over een bepaalde handeling of omgangsvorm kunnen de *fatwa's* van hun rechtsgeleerde raadplegen in boeken en op internetsites. Als die *fatwa's* onvoldoende duidelijkheid bieden kunnen ze ook het kantoor van hun rechtsgeleerde raadplegen. In mijn onderzoek beschrijf ik hoe jongeren komen tot de keuze voor een specifieke groot

ayatollah, wat deze rechtsgeleerde voor hen betekent als het gaat om religieuze praktijken en sociale interacties, en over welke kwesties zij zo'n autoriteit raadplegen.

De studie toont aan dat het nieuwe genre van religieuze regels voor moslims in het Westen geen aanpassing behelst van de sjiitische methodiek van jurisprudentie (*ijtihad*) die wordt gehanteerd bij het interpreteren van de religieuze bronnen. *Ijtihad* biedt diverse mogelijkheden om de regels aan te passen aan veranderende omstandigheden. Wel is het zo dat de variabelen binnen de toepassing van die methodiek kunnen leiden tot verschillende uitspraken. Daardoor is het mogelijk dat rechtsgeleerden andersluidende *fatwa's* kunnen geven over hetzelfde onderwerp. De doelstelling van de religieuze regelgeving voor moslims in het Westen blijkt tweeledig te zijn. Enerzijds wordt aangedrongen op continuering van religieuze praktijken en het behoud van de moslimidentiteit en -moraliteit, anderzijds wordt van moslims in het Westen gevraagd bij te dragen aan een positief beeld van de islam.

In de dagelijkse Nederlandse praktijk blijkt dat de dubbele doelstelling van het naleven van religieuze regels en positieve representatie van de islam soms tegenstrijdig is, vooral in situaties waarin sjiitische voorschriften en Nederlandse mores en opvattingen ver uiteen liggen. De studie toont aan dat sjiitische jongvolwassenen in het naleven van *fatwa's* een balans zoeken tussen de toepassing van Islamitische regels en aanpassing aan Nederlandse mores, zodanig dat Nederlanders een positief beeld krijgen van de islam. Dit gaat gepaard met het maken van persoonlijke afwegingen en keuzes, waarbij de omstandigheden ter plekke een doorslaggevende rol spelen. Jonge sjiieten blijken in hun dagelijkse leven en in de omgang met niet-sjiieten zo min mogelijk de aandacht te willen vestigen op hun religieuze praktijken. Het onderzoek demonstreert een grote variatie in de manieren waarop *fatwa's* worden nageleefd. Hoe jonge sjiieten hun keuzes maken over de beste manier van handelen, en wat hun persoonlijke afwegingen daarbij zijn, wordt in deze dissertatie uitgebreid beschreven.

De groot ayatollahs leggen in hun regelgeving voor moslims in het Westen grote nadruk op zedigheid in uiterlijk en gedrag. Ofschoon deze regels gelden voor zowel mannen als vrouwen hebben ze voor vrouwen de grootste gevolgen. Deze dissertatie analyseert daarom vooral de impact van deze regels op het

leven van vrouwen. De uiterlijke vorm van zedigheid is het dragen van gepaste kleding, inclusief voor vrouwen een hoofddoek. Uit mijn studie blijkt dat de norm binnen de etnische gemeenschap een belangrijke rol speelt in de manier waarop wordt voldaan aan de plicht tot het dragen van de hoofddoek. In het Nederlandse discours fungeert de hoofddoek als een uiting van geloof maar ook als een manier om zich te onderscheiden van Nederlanders en hun, vanuit islamitisch perspectief gezien, losse omgangsvormen tussen mannen en vrouwen. Voor sjiitische jonge vrouwen is hun hoofddoek een manier om te kennen te geven dat zij islamitische waarden en morele principes willen handhaven alsmede om zelfrespect uit te drukken. Met hun persoonlijke kledingstijl geven zij uitdrukking aan hun individualiteit en autonomie als moslim en als vrouw.

Omgangsregels aangaande gedrag richten zich met name op het reguleren van het contact tussen mannen en vrouwen. Mijn studie, die ook in dit opzicht voornamelijk heeft gekeken naar vrouwen, laat zien dat mijn vrouwelijke gesprekspartners met Nederlandse mannelijke leeftijdgenoten omgaan, soms zelfs op een amicale manier, maar dat zij zich daarbij steeds bewust zijn van de islamitische normen, en die ook handhaven. In de omgang met de andere sekse binnen de eigen etnische gemeenschap nemen jongeren een veel grotere afstand in acht. Dit houdt verband met hun reputatie die, zeker voor jonge vrouwen, van groot belang is voor de kansen op de huwelijksmarkt.

De studie brengt ook aan het licht dat ideeën en verlangens van sjiitische jongeren worden beïnvloed door het leven in Nederland. Dit komt sterk tot uitdrukking in wensen en ideeën rond het huwelijk, zoals bijvoorbeeld het profiel van de ideale huwelijkspartner, het zoeken naar een geschikte huwelijkspartner, en het creëren van een gelijkwaardige man-vrouw verhouding binnen het huwelijk. Het blijkt dat jongeren door herinterpretatie van religieuze regels en door creatieve toepassing van *fatwa's* mogelijkheden creëren om hun persoonlijke wensen en ideeën te realiseren.

Tot slot besteedt de studie de aandacht aan veranderingen die zich de laatste jaren hebben voorgedaan binnen de sjiitische jongerengemeenschap. Vanuit de behoefte om de sjiitische traditie in Nederland voort te zetten, en om het gevaar af te wenden dat sjiieten hun specifieke sjiitische identiteit verliezen binnen de moslimgemeenschap in Nederland, hebben sjiitische jongeren in de afgelopen jaren initiatieven ontwikkeld om een eenheid te vormen op basis van wat zij

delen: de sjiitische religie, de Nederlandse taal, en hun leven en toekomst als sjiitische moslims in Nederland. Er werd een multi-etnische Nederlandse sjiitische internet-community opgericht. Ook was er sprake van een herinterpretatie van het belangrijkste sjiitische ritueel, *Muharram*, de historische gebeurtenis waaraan sjiieten hun identiteit ontleen. Deze ontwikkelingen leidden tot de opkomst van een verenigde Nederlandse sjiitische jongerengemeenschap met een gezamenlijke toekomst in Nederland. Ze zijn in deze studie uitgebreid beschreven.

321

De conclusie van mijn onderzoek is als eerste dat de *fatwa's* voor moslims in het Westen tot doel hebben moslims te beschermen tegen verderfelijke invloeden van de westerse maatschappij. Om dat te bewerkstelligen dringen religieuze autoriteiten aan op voortzetting van religieuze praktijken en behoud van de islamitische identiteit en de islamitische moraliteit. Een ander doel van dit nieuwe genre *fatwa's* is te bevorderen dat sjiitische moslims in hun doen en laten bijdragen aan een positief beeld van de islam. Met het nieuwe genre regelgeving blijken sjiitische rechtsgeleerden niet in staat te zijn tegemoet te komen aan de behoeften van hun volgelingen in het Westen. Echter, het sjiitische discours biedt gelovigen ruimte voor het maken van persoonlijke afwegingen. In hun regelgeving vertrouwen religieuze autoriteiten op de inschatting en de keuzes die hun volgelingen ter plekke maken.

Ten tweede luidt mijn conclusie dat er - ook al zijn veel jonge sjiieten geboren in de landen van herkomst - gesproken kan worden van Nederlandse sjiitische moslimjongeren. Uit de interviews met sjiitische jongvolwassenen blijkt dat zij zich ook identificeren met Nederland en dat zij in de wijze van geloofsuitoefening redeneren vanuit hun Nederlandse realiteit. Dit blijkt enerzijds uit het feit dat sjiitische jongvolwassenen zich in hun dagelijkse leven en in interacties met Nederlanders hebben eigengemaakt hoe te balanceren tussen islamitische regelgeving en Nederlandse normen en standaarden. Dat doen ze door gebruik te maken van de onderhandelingsruimte die het sjiitische juridische discours biedt. Anderzijds blijkt uit mijn studie dat het gerechtvaardigd is te spreken over Nederlandse sjiitische moslimjongeren omdat hun ideeën, wensen en verwachtingen van het leven sterk zijn beïnvloed door de Nederlandse context. Dit blijkt met name uit veranderende denkbelden en praktijken rond de omgang tussen de seksen, huwelijksrituelen

en de verhouding tussen mannen en vrouwen binnen het huwelijk. Anders dan hun ouders maken jongeren onderscheid tussen religieuze voorschriften en etnische gewoonten. De etnische opvattingen achten zij vaak niet langer verenigbaar met of wenselijk in het leven in Nederland, terwijl religieuze voorschriften in hun ogen veel flexibeler zijn en mogelijkheden bieden om tegemoet te komen aan hun ideeën en verlangens. Daar waar religieuze regels de persoonlijke vrijheid van vrouwen inperken of gelijkwaardigheid tussen de seksen aantasten worden ze door veel van mijn vrouwelijke gesprekspartners ofwel zodanig geïnterpreteerd dat ze bijdragen aan een gelijkwaardige man-vrouw verhouding ofwel verworpen als etnische normen die niet passen in de Nederlandse context.

Ten derde concludeer ik dat er sprake is van de opkomst van een verenigde sjiitische jongerengemeenschap waarin het sjiitische geloof, de Nederlandse taal, en het leven en de toekomst als sjiitische moslim in Nederland de gemeenschappelijke elementen vormen. Aan de basis van deze ontwikkeling staat de oprichting van een multi-etnische sjiitische Facebook-community en een herinterpretatie van het belangrijkste sjiitische ritueel, *Muharram*, waarin etnische elementen worden ingewisseld voor nieuwe elementen in het ritueel die inspelen op de behoeften van jonge sjiieten in Nederland.

Bibliography

- Abbasi, N.M. 2010, *The Pakistani diaspora in Europe and its impact on democracy building in Pakistan*, International Institute for Democracy and Electoral Assistance, Stockholm.
- Abou el Fadl, K. 2001, *Speaking in God's name: Islamic law, authority and women*, Oneworld Publications, Oxford. 323
- Abou el Fadl, K. 1998, "Striking a Balance: Islamic Legal Discourses on Muslim Minorities" in *Muslims on the Americanization path?*, eds. Y. Yazbeck Haddad & J.L. Esposito, Oxford University Press, Oxford, pp. 47-63.
- Abou el Fadl, K. 1994a, "Islamic law and Muslim minorities: the juristic discourse on Muslim minorities from the second/eighth to the eleventh/seventeenth centuries", *Islamic Law and Society*, vol. 1, no. 2, pp. 141-187.
- Abou el Fadl, K. 1994b, "Legal Debates on Muslim Minorities: Between Rejection and Accommodation", *The Journal of Religious Ethics*, vol. 22, no. 1, pp. 127-162.
- Abu-Rabi', I.M. 1996, *Intellectual origins of Islamic resurgence in the modern Arab world*, State University of New York Press, Albany.
- Aghaie, K.S. 2004, *The martyrs of Karbala: Shi'i symbols and rituals in modern Iran*, University of Washington Press, Seattle.
- Ahmed, L. 1993, *Women and gender in Islam: Historical roots of a modern debate*, Yale University Press, New Haven.
- Ahmed-Ghosh, H. 2013, "A history of women in Afghanistan: Lessons learnt for the future or yesterdays and tomorrow: Women in Afghanistan", *Journal of international Women's Studies*, vol. 4, no. 3, pp. 1-14.
- Alagha, J. 2014, "G. Banna's and A. Fadlallah's Views on Dancing", *Sociology of Islam*, vol. 2, no. 1-2, pp. 60-86.
- al-Alwani, T.J. 2003, *Towards a Fiqh for Minorities; Some Basic Reflections*, The International Institute of Islamic Thought, London.
- al-Hakim, A.H. 1999, *A Code of Practice for Muslims in the West*, in accordance with the edicts of His Eminence Grand Ayatullah As-Sayyid Ali al-Husaini as-Seestani, Imam Ali Foundation, London.
- al-Hakim, A.H. 1998, *Jurisprudence Made Easy, according to the Edicts of His Eminence grand Ayatullah as-Sayyid Ali al-Hussaini as-Seestani*, Imam Ali Foundation, London.

- Ali, K. 2004, "Rethinking Women's Issues in Muslim communities" in *Taking back Islam: American Muslims reclaim their faith*, ed. M. Wolfe, Rodale Inc., Emmaus (PA).
- Ali, K. 2003, "Progressive Muslims and Islamic jurisprudence: the necessity for critical engagement with marriage and divorce law" in *Progressive Muslims: on justice, gender, and pluralism*, ed. O. Safi, Oneworld Publications, Oxford, pp. 163-189.
- al-Khalifa Sharif, T.H. 2005, "Sacred Narratives Linking Iraqi Women across Time and Space" in *Muslim Networks; From Hajj to Hip Hop*, eds. m. cooke & B.B. Lawrence, The University of North Carolina Press, Chapel Hill.
- Allievi, S. 2006, "The Shifting Significance of the *Halal/Haram* frontier; Narratives on the Hijab and Other Issues" in *Women embracing Islam; Gender and Conversion in the West*, ed. K.v. Nieuwkerk, University of Texas Press, Austin.
- Allievi, S. 1999, "Pour une sociologie des conversions: lorsque des Européens deviennent musulmans", *Social compass*, vol. 46, no. 3, pp. 283.
- al-Qaradawi, S.Y. 2001, *Fiqh of Muslim Minorities; contentions issues & recommended solutions*, Dar al-Shuruq, Cairo.
- Amanat, A. 1988, "In Between the Madrasa and the Marketplace: The Designation of Clerical Leadership in Modern Shi'ism" in *Authority and Political Culture in Shi'ism*, ed. S.A. Arjomand, State University of New York Press, New York.
- Amir-Moazami, S. 2010, "Avoiding "youthfulness?": young Muslims negotiating gender and citizenship in France and Germany" in *Being Young and Muslim: new cultural politics in the global south and north*, eds. L. Herrera & A. Bayat, Oxford University Press Oxford, Oxford.
- Amir-Moazami, S. & Salvatore, A. 2003, "Gender, generation, and the reform of tradition: from Muslim majority societies to Western Europe" in *Muslim networks and transnational communities in and across Europe*, eds. S. Allievi & J. Nielsen, Brill, Leiden.
- Anderson, B. 2006, *Imagined Communities; Reflections on the Origin and Spread of Nationalism*, revised edn, Verso, London.
- Anderson, J.W. 2003, "The Internet and Islam's new interpreters" in *New Media in the Muslim World; the Emerging Public Sphere*, eds. D.F. Eickelman & J.W. Anderson, 2nd edn, Indiana University Press, Bloomington, pp. 45-60.

- Arjomand, S.A. 2009, *After Khomeini; Iran under his successors*, Oxford University Press, New York.
- Arjomand, S.A. 1989, *The Turban for the Crown: The Islamic Revolution in Iran*, Oxford University Press, New York.
- Arjomand, S.A. (ed) 1988, *Authority and Political Culture in Shi'ism*, State University of New York Press, Albany.
- Asad, T. 1993, *Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam*, Johns Hopkins University Press, Baltimore/London.
- Asad, T. 1986, "The Idea of an Anthropology of Islam", *Center for Contemporary Arab Studies*, Georgetown University, .
- Ayoub, M.M. 1978, *Redemptive Suffering in Islam: A Study of the Devotional Aspects of 'Ashura' in Twelver Shi'ism*, Mouton, The Hague.
- Aziz, T. 2001, "Fadlallah and the remaking of the marja'iyā" in *The most learned of the Shi'a*, ed. L.S. Walbridge, Oxford University Press, Oxford.
- Badran, M. 2006, "Feminism and Conversion" in *Women Embracing Islam; Gender and Conversion in the West*, ed. K.v. Nieuwkerk, University of Texas Press, Austin.
- Bayat, A. & Herrera, L. 2010, *Being young and Muslim: new cultural politics in the global south and north*, Oxford University Press, New York.
- Beekers, D. 2015, *Precarious Piety; Pursuits of Faith among Young Muslims and Christians in the Netherlands*, PhD dissertation, VU University.
- Berger, M.S. (ed) 2013, *Applying Shari'a in the West*, Leiden University Press, Leiden.
- Billaud, J. 2009, "Visible under the Veil: Dissimulation, performance and agency in an Islamic public space", *Journal of International Women's Studies*, vol. 11, no. 1, pp. 120-135.
- Bos, M.v.d. 2012, "European Shiism? Counterpoints from Shiites' organization in Britain and the Netherlands", *Ethnicities*, vol. 12, no. 5.
- Bosworth, C.E. 1989, "A note on ta'arrub in early Islam", *Journal of Semitic Studies*, vol. 34, no. 2, pp. 355.
- Böttcher, A. 2001, *Im Schatten des Ayatollahs; Schiitische feministische Theologie in Libanon am Anfang*, 55, 7 March 2001 edn, Neue Zürcher Zeitung, Zürich.
- Bourdieu, P. 1993, *Sociology in question*, Sage Publications Ltd., London.
- Bowen, J. 2004, "Muslims and Citizens", *Boston Review*, vol. 25, pp. 31-35.

- Buchta, W. 2004, "Sayyid Ali al-Husain al-Sistani; Irakischer Grossayatollah", *Orient*, vol. 3, pp. 343-355.
- Buitelaar, A. & Vrijhoef, V. 2013, *Shiites in the Low Countries: Religiosity, Ethnicity, and Citizenship*, Master thesis, Utrecht University, Utrecht.
- Buitelaar, M. 2002, *Ramadan: sultan van alle maanden*, Bulaaq, Amsterdam.
- Caeiro, A. 2011, *Fatwas for European Muslims: the minority fiqh project and the integration of Islam in Europe*, PhD dissertation, Utrecht University, Utrecht.
- Caeiro, A. 2010, "The power of European fatwas: the minority fiqh project and the making of an Islamic counterpublic", *International Journal of Middle East Studies*, vol. 42, no. 03, pp. 435-449.
- Caeiro, A. 2009, "Transnational 'Ulama', European Fatwas, and Islamic Authority: A Case Study of the European Council for Fatwa and Research" in *Production and dissemination of Islamic knowledge in Western Europe*, eds. S. Allievi & M.v. Bruinessen, Routledge, London, pp. 1-26.
- Caeiro, A. 2006, "The Shifting Moral Universes of the Islamic Tradition of *Ifta'*: A Diachronic Study of Four *Adab al-Fatwa'* Manuals", *The Muslim World*, vol. 96, no. 4, pp. 661-685.
- Caeiro, A. 2003, "Adjusting Islamic law to migration", *ISIM Newsletter*, vol. 12, pp. 2.
- Calder, N. 1982, "Khums in Imami Shi'i Jurisprudence, from the Tenth to the Sixteenth Century AD", *Bulletin of the School of Oriental and African Studies*, vol. 45, pp. 39-47.
- Choenni, C. 2002, *Irakezen in Nederland*, Centraal Bureau voor de Statistiek, The Hague.
- Clarke, L. (ed) 2001a, *Shi'ite heritage; Essays on Classical and Modern Traditions*, Global Publications, New York.
- Clarke, L. 2001b, "The Shi'i Construction of Taqlid", *Journal of Islamic Studies*, vol. 12, no. 1, pp. 40-64.
- Clarke, M. 2010a, *Contemporaneity and tradition in the hawza of Ayatollah Fadlallah*, Workshop Knowledge and Authority in the Hawza, London.
- Clarke, M. 2010b, "Neo-Calligraphy: Religious Authority and Media Technology in Contemporary Shiite Islam", *Comparative Studies in Society and History*, vol. 52, no. 02, pp. 351-383.
- Cole, J. 2004, *It Takes a Following to Make an Ayatollah*, Washington Post, Washington.

- Cole, J. 2002, *Sacred Space And Holy War: The Politics, Culture and History of Shi'ite Islam*, IB Tauris, London.
- Cole, J. 1985, "Shi'i Clerics in Iraq and Iran, 1722-1780: The Akhbari-USuli Conflict Reconsidered", *Iranian Studies*, vol. 18, no. 1, pp. 3-34.
- Cooper, J. 1988, "The Muqaddas al-Ardabili on Taqlid" in *Authority and Political Culture in Shi'ism*, ed. S.A. Arjomand, State University of New York Press, Albany.
- Corboz, E. 2009, *Negotiating Loyalty Across the Shi'i world; the Transnational Authority of the al-Hakim and al-Khu'i Families*, PhD dissertation University of Oxford, Faculty of Oriental Studies, Oxford.
- Darwish, L. 2009, *Texts of Tension, Spaces of Empowerment; Migrant Muslims and the Limits of Shi'ite Legal Discourse*, PhD dissertation, Concordia University, Montreal, Quebec, Canada.
- De Koning, M. 2014, "Salafi politics in the Netherlands" in *Islamic Movements of Europe; Public Religion and Islamophobia in the Modern World*, eds. F. Peter & R. Ortega, IB Tauris, London.
- De Koning, M. 2009, "Changing Worldviews and Friendship. An Exploration of the Life Stories of Two Female Salafists in the Netherlands" in *Global Salafism: Islam's New Religious Movement*, ed. R. Meijer, Hurst Publishers, London.
- De Koning, M. & Bartels, E. 2005, *Over het huwelijk gesproken: partnerkeuze en gedwongen huwelijken onder Marokkaanse, Turkse en Hindostaanse Nederlanders*, Adviescommissie voor Vreemdelingenzaken, Den Haag.
- Deeb, L. 2010, 1 December, 2010, *On representational paralysis, or, why I don't want to write about temporary marriage*, [Online]. Available: <http://www.jadaliyya.com/pages/index/364/on-representational-paralysis-or-why-i-dont-want-t>.
- Deeb, L. 2009, "Emulating and/or embodying the ideal: The gendering of temporal frameworks and Islamic role models in Shi 'i Lebanon", *American Ethnologist*, vol. 36, no. 2, pp. 242-257.
- Deeb, L. 2006, *An Enchanted Modern: Gender and Public Piety in Shi'i Lebanon*, Princeton University Press, Princeton.
- Deeb, L. & Harb, M. 2013, "Choosing Both Faith and Fun: Youth Negotiations of Moral Norms in South Beirut", *Ethnos*, vol. 78, no. 1, pp. 1-22.

- Dourleijn, E. & Dagevos, J. 2011, *Vluchtelingengroepen in Nederland; over de integratie van Afghaanse, Iraakse, Iraanse en Somalische migranten*, The Netherlands Institute for Social Research, Den Haag.
- Douwes, D., Koning, M.d. & Boender, W. 2005, *Nederlandse moslims; van migrant tot burger*, Amsterdam University Press, Amsterdam.
- Eickelman, D.F. & Piscatori, J. 1996, *Muslim politics*, Princeton University Press, Princeton.
- El Guindi, F. 1999, "Veiling resistance", *Fashion Theory: The Journal of Dress, Body & Culture*, vol. 3, no. 1, pp. 51-80.
- el-Husseini, R. 2008, "Women, Work, and Political Participation in Lebanese Shia Contemporary Thought: The Writings of Ayatollahs Fadlallah and Shams al-Din", *Comparative Studies of South Asia, Africa and the Middle East*, vol. 28, no. 2, pp. 273-282.
- Ende, W. 2010, "Shi'i Islam" in *Islam in the world today: a handbook of politics, religion, culture, and society*, eds. W. Ende & U. Steinbach, Cornell University Press, Ithaca.
- Fadil, N. 2013, "Performing the salat [Islamic prayers] at work: Secular and pious Muslims negotiating the contours of the public in Belgium", *Ethnicities*, vol. 13, no. 6.
- Fadil, N. 2009, "Managing affects and sensibilities: The case of not-handshaking and not-fasting", *Social Anthropology*, vol. 17, no. 4, pp. 439-454.
- Fadlullah, M.H. 2005, *The Manifest Edicts; A Manual of Islamic Practise*, Dar Almanak, Beirut.
- Fadlullah, M.H. 1998, *World of Our Youth [Dunya al-Shabab]*, Organization for the Advancement of Islamic Knowledge and Humanitarian Services, Montreal.
- Fazal, S. & Tsagarousianou, R. 2002, "Diasporic communication: Transnational cultural practices and communicative spaces", *The Public*, vol. 9, no. 1, pp. 5-18.
- Fisher, M.J. & Abedi, M. 1990, *Debating Muslims: Cultural Dialogues in Postmodernity and Tradition*, The University of Wisconsin Press, Madison.
- Fishman, S. 2006, *Fiqh al-Aqalliyat; a Legal Theory for Muslim Minorities*, Hudson Institute, Washington.

- Flaskerud, I. 2014, "Women transferring Shia rituals in western Migrancy" in *Women's rituals and ceremonies in Shiite Iran and Muslim communities*, ed. P. Khosronejad, LIT Verlag, Münster.
- Ghorashi, H. 2003, *Ways to survive, battles to win: Iranian women exiles in the Netherlands and United States*, Nova Publishers, New York.
- Gleave, R. 2000, *Inevitable Doubt: Two Theories of Shī'i Jurisprudence*, Brill, Leiden.
- Göle, N. 1996, *The forbidden modern: civilization and veiling*, University of Michigan Press, Ann Arbor.
- Gräf, B. 2010, "Media *Fatwas*, Yusuf al-Qaradawi and Media-Mediated Authority in Islam", *Orient*, vol. I, pp. 6-15.
- Gräf, B. 2007, "Sheikh Yūsuf al-Qaradāwī in Cyberspace", *Die Welt des Islams*, vol. 47, no. 3-4, pp. 403-421.
- Gräf, B. 2005, "In Search of a Global Islamic Authority", *ISIM Review*, vol. 15, pp. 47-47.
- Gräf, B. & Skovgaard-Petersen, J. 2009, *Global mufti: the phenomenon of Yusuf al-Qaradawi*, Columbia University Press, New York.
- Guidère, M. 2012, *Historical dictionary of Islamic fundamentalism*, Scarecrow Press, Plymouth.
- Haddad, Y.Y. 2006, "The quest for peace in submission" in *Women embracing Islam; gender and conversion in the West*, ed. K.v. Nieuwkerk, University of Texas Press, Austin.
- Haddad, Y.Y. & Lummis, A.T. 1987, *Islamic values in the United States: A comparative study*, Oxford University Press, New York.
- Haeri, S. 1994, "Temporary Marriage: an Islamic discourse on female sexuality in Iran" in *In the eye of the storm: Women in post-revolutionary Iran*, eds. M. Afkhami & E. Friedl, Syracuse University Press, New York/London.
- Haeri, S. 1989, *Law of Desire: Temporary Marriage in Iran*, Syracuse University Press, Syracuse/New York.
- Hall, S. 2003, "Cultural identity and diaspora" in *Theorizing diaspora*, eds. J.E. Braziel & A. Mannur, Blackwell Publishers, Malden.
- Hallaq, W.B. 2009, *Sharia: theory, practice, transformations*, Cambridge University Press, Cambridge.
- Hallaq, W.B. 1994, "From Fatwas to Furu: growth and change in Islamic substantive law", *Islamic Law and Society*, vol. 1, no. 1, pp. 29-65.

- Halm, H. 2001, *Shi'ism*, 2nd edn, Edinburgh University Press, Edinburgh.
- Halm, H. 1997, *Shi'a Islam: From religion to revolution*, Markus Wiener Publishers, Princeton.
- Halstead, J.M. 2007, "Islamic values: a distinctive framework for moral education?", *Journal of Moral Education*, vol. 36, no. 3, pp. 283-296.
- Hamoudi, H. 2009, *Navigating the Najaf mantra with the four grand ayatollahs: 'The role of the marja'iyya is not to play any direct role in the government'*, 5 November edn, Daily Star, Lebanon.
- Henkel, H. 2005, "'Between belief and unbelief lies the performance of salat': meaning and efficacy of a Muslim ritual", *Journal of the Royal Anthropological Institute*, vol. 11, no. 3, pp. 487-507.
- Hessels, T. 2004, *Afghanen in Nederland*, Centraal Bureau voor de Statistiek, Den Haag.
- Hessels, T. 2002, *Iraniërs in Nederland, een profiel*, Ministerie van Binnenlandse Zaken en Koninkrijksrelaties/Directie Coördinatie Integratiebeleid Minderheden, Den Haag.
- Holm Pedersen, M. 2008, "The Commemoration of Muharram: ritual practice and notions of belonging among Iraqi Shi'a Muslims in Copenhagen", International Colloquium 'Shiites in Europe', 25-26 September 2008, Strasbourg.
- Hooghiemstra, E. 2003, *Trouwen over de grens. Achtergronden van partnerkeuze van Turken en Marokkanen in Nederland*, Sociaal Cultureel Planbureau, Den Haag.
- Jabar, F.A. 2002, *Ayatollahs, Sufis and Ideologues: State, Religion and Social Movements in Iraq*, Saqi Books, London.
- Jacobsen, C.M. 2004, "Negotiating gender: Discourse and practice among young Muslims in Norway", *Tidsskrift for kirke, religion og samfunn*, vol. 17, no. 1, pp. 5-28.
- Jawad, H. 2006, "Female Conversion to Islam" in *Women Embracing Islam; Gender and Conversion in the West*, ed. K.v. Nieuwkerk, University of Texas Press, Austin.
- Jouili, J.S. 2009, "Negotiating secular boundaries: Pious micro-practices of Muslim women in French and German public spheres", *Social Anthropology*, vol. 17, no. 4, pp. 455-470.
- Jouili, J.S. 2007, "Being a Pious French Muslim Woman", *ISIM Review*, vol. 19, pp. 2.

- Kashmiri, M. 1996, *Current Legal Issues*, , <http://www.sistani.org/english/book/fatwa/>.
- Keddie, N.R. 2007, *Women in the Middle East; Past and Present*, Princeton University Press, Princeton.
- Keddie, N.R. 2003, *Modern Iran: Roots and Results of Revolution*, 2006th edn, Yale University Press, New Haven.
- Khalaji, M. 2006, "The Last Marja: Sistani and the End of Traditional Religious Authority in Shiism", *Washington Institute for Near East Policy*, [Online], vol. Policy Focus 59, pp. 10-11.
- Khamenei, A.H. 1997, *Replies to Inquiries about the Practical Laws of Islam*, Islamic Culture and Relations Organization, Tehran.
- Kohlberg, E. 1988, "Imam and community in the pre-ghayba period" in *Authority and Political Culture in Shi'ism*, ed. S.A. Arjomand, State University of New York Press, Albany.
- Kramer, M. 1997, "The Oracle of Hizbullah: Sayyid Muhammad Husayn Fadlallah" in *Spokesmen for the Despised: Fundamentalist Leaders of the Middle East*, ed. S. Appleby, University Of Chicago Press, Chicago, pp. 83-181.
- Larsen, L. 2015, "Men are the Protectors and Maintainers of Women ...': Three Fatwas on Spousal Roles and Rights" in *Men in Charge?: Rethinking Authority in Muslim Legal Tradition*, eds. Z. Mir-Hosseini, M. Al-Sharmani & J. Rumminger, Oneworld Publications, London.
- Leurs, K. 2015, *Digital Passages: Migrant Youth 2.0. Diaspora, Gender, and Youth Cultural Intersections*, Amsterdam University Press, OAPEN library, Amsterdam.
- Litvak, M. 2000, "Madrasa and learning in nineteenth-century Najaf and Karbala" in *The Twelver Shia in modern times; religious culture & political history*, eds. R. Brunner & W. Ende, Brill Publishers, Leiden, pp. 58-78.
- Litvak, M. 1998, *Shi'i Scholars of Nineteenth-Century Iraq; The 'ulama' of Najaf and Karbala'*, Cambridge University Press, Cambridge.
- Louër, L. 2008, *Transnational Shia politics: religious and political networks in the Gulf*, Columbia University Press, London.
- MacIntyre, A.C. 1981, *After virtue: A study in moral theory*, Third edn, Bloomsbury Academic Publishing, London.
- Mahdavi Damghani, A. 2001, "The Marriage Contract in Iranian Civil Law" in *Shi'ite heritage: Essays on Classical and Modern Traditions*, ed. L. Clarke, Global Publications, New York.

- Mahmood, S. 2005, *Politics of Piety: The Islamic Revival and the Feminist Subject*, Princeton University Press, Princeton.
- Mahmood, S. 2001a, "Feminist theory, embodiment, and the docile agent: some reflections on the Egyptian Islamic revival", *Cultural Anthropology*, vol. 16, no. 2, pp. 202-236.
- Mahmood, S. 2001b, "Rehearsed Spontaneity and the Conventionality of Ritual: Disciplines of Salat", *American Ethnologist*, vol. 28, no. 4, pp. 827-853.
- Maliepaard, M. & Gijsberts, M. 2012, *Moslim in Nederland 2012*, Sociaal en Cultureel Planbureau, Den Haag.
- Malik, S. 2009, "An analysis of apostasy/irtidat: considerations for Muslims in contemporary Western societies", *Journal of Islamic Law and Culture*, vol. 11, no. 3, pp. 211-224.
- Mallat, C. 1993, *The renewal of Islamic law: Muhammad Baqer as-Sadr, Najaf and the Shi'i International*, Cambridge University Press, Cambridge.
- Mandaville, P. 2001, *Transnational Muslim Politics; Reimagining the Umma*, Routledge, New York.
- March, A.F. 2009, *Islam and Liberal Citizenship; the search for an overlapping consensus*, Oxford University Press, Oxford.
- March, A.F. 2005, "The demands of citizenship: Translating political liberalism into the language of Islam", *Journal of Muslim Minority Affairs*, vol. 25, no. 3, pp. 317-345.
- Maréchal, B. & Zemni, S. 2013, *The dynamics of Sunni-Shia relationships: doctrine, transnationalism, intellectuals and the media*, Hurst Publishers, London.
- Masud, M.K. 2002, "Islamic Law and Muslim Minorities", *ISIM Review*, vol. 11, pp. 17.
- Masud, M.K. 1990, "The obligation to migrate: the doctrine of *hijra* in Islamic law" in *Muslim travellers: pilgrimage, migration, and the religious imagination*, eds. D.F. Eickelman & J. Piscatori, University of California Press, Berkeley.
- Masud, M.K., Messick, B. & Powers, D.S. 1996, *Islamic legal interpretation: muftis and their fatwas*, Harvard University Press, Cambridge.
- Mavani, H. 2013, *Religious Authority and Political Thought in Twelver Shi'ism: From Ali to Post-Khomeini*, Routledge, London.
- Mavani, H. 2009, "Paradigm Shift in Twelver Shi'i Legal Theory (usul al-fiqh): Ayatullah Yusef Saanei", *The Muslim World*, vol. 99, no. 2, pp. 335-355.

- McGuire, M.B. 2002, *Religion, the social context*, Fifth edn, Waveland, Long Grove.
- Meijer, R. (ed) 2009, *Global Salafism: Islam's new religious movement*, Hurst & Company, London.
- Mepschen, P., Duyvendak, J.W. & Tonkens, E.H. 2010, "Sexual politics, orientalism and multicultural citizenship in the Netherlands", *Sociology*, vol. 44, no. 5, pp. 962-979.
- Mervin, S. 2008, "Normes religieuses et loi du silence: le mariage temporaire chez les chiites du Liban" in *Les métamorphoses du mariage au Moyen-Orient*, ed. B. Drieskens, Institut Français du Proche-Orient, Beirut, pp. 47-58.
- Mir-Hosseini, Z. 2009, "Towards Gender Equality: Muslim Family Laws and the Shari'ah" in *Wanted : equality and justice in the muslim family*, ed. Z. Anwar, 2nd edn, Musawah, Sisters in Islam, Selangor.
- Mir-Hosseini, Z. 2007a, "Islam and gender justice" in *Voices of Islam*, ed. V. Cornell J., Praeger Publishers, Westport.
- Mir-Hosseini, Z. 2007b, "The Politics and Hermeneutics of Hijab in Iran: From Confinement to Choice", *Muslim World Journal of Human Rights*, vol. 4, no. 1.
- Mir-Hosseini, Z. 2006, "Muslim Women's Quest for Equality: Between Islamic Law and Feminism", *Critical Inquiry*, vol. 32, no. 4, pp. 629-645.
- Mir-Hosseini, Z. 1993, *Marriage on trial: Islamic Family Law in Iran and Morocco*, 2000th edn, IB Tauris, London.
- Mir-Hosseini, Z., Al-Sharmani, M. & Rumminger, J. (eds) 2015, *Men in Charge?: Rethinking Authority in Muslim Legal Tradition*, Oneworld Publications, London.
- Momen, M. 1985, *An introduction to Shi'i Islam; the history and doctrines of Twelver Shi'ism*, Yale University Press, New Haven.
- Moors, A. 2009, "'Islamic fashion' in Europe: religious conviction, aesthetic style, and creative consumption", *Encounters*, vol. 1, no. 1, pp. 175-201.
- Mottahedeh, R.P. 2014, *The Quandaries of Emulation: The Theory and Politics of Shi'i Manuals of Practice*, Farhat J. Ziadeh Distinguished Lecture in Arab and Islamic Studies edn, Washington University, Washington.
- Mottahedeh, R.P. 2003, *Lessons in Islamic Jurisprudence*, Oneworld Publications, Oxford.

- Mottahedeh, R.P. 1985, *The Mantle of the Prophet: Religion and Politics in Iran*, Oneworld Publications, Oxford.
- Moussavi, A.K. 1996, *Religious Authority in Shi'ite Islam: From the Office of Mufti to the Institution of Marja'*, International Institute of Islamic Thought and Civilization, Kuala Lumpur.
- Murata, S. 2009, *Temporary Marriage in Islamic Law*, 3rd edn, Ansarian Publications, Qum.
- Nakash, Y. 2006, *Reaching for Power; The Shi'a in the Modern Arab World*, Princeton University Press, Princeton.
- Nakash, Y. 2003, *The Shi'is of Iraq*, 2nd edn, Princeton University Press, Princeton.
- Nasr, V. 2006, *The Shia Revival: How Conflicts Within Islam Will Shape the Future*, W.W. Norton & Company, New York.
- Neijenhuis, K. 2008, *Sjiitische organisaties in Nederland; een inventarisatie*.
- Nesteruk, O. & Gramescu, A. 2012, "Dating and mate selection among young adults from immigrant families", *Marriage & Family Review*, vol. 48, no. 1, pp. 40-58.
- Nielsen, J., Akgönül, S., Alibašić, A. & Raciuc, E. 2013, *Yearbook of Muslims in Europe*, Brill, Leiden.
- Norton, A.R. 2011, "Al-Najaf: Its Resurgence as a Religious And University Center", *Middle East Policy*, vol. 18, no. 1, pp. 132-145.
- Otterbeck, J. 2008, "Battling over the Public Sphere: Islamic reactions to the music of today", *Contemporary Islam*, [online], no. 2, pp. 211-228.
- Otterbeck, J. 2004, "Music as a useless activity: Conservative interpretations of music in Islam" in *Shoot the singer!: Music Censorship Today*, ed. M. Korpe, Zed Books Ltd., London.
- Parray, T.A. 2012, "The Legal Methodology of "Fiqh al-Aqalliyat" and its Critics: An Analytical Study", *Journal of Muslim Minority Affairs*, vol. 32, no. 1, pp. 88-107.
- Rahimi, B. 2007, *Ayatollah Sistani and the Democratization of Post-Ba'athist Iraq*, United States Institute of Peace, Washington.
- Reinhart, A.K. 1983, "Islamic Law as Islamic Ethics", *The Journal of Religious Ethics*, vol. 11, no. 2, pp. 186-203.

- Rizvi, S. 2010, "Political mobilization and the Shi'i religious establishment (marja'iyya)", *International Affairs*, vol. 86, no. 6, pp. 1299-1313.
- Roggeband, C. & Verloo, M. 2007, "Dutch women are liberated, migrant women are a problem: The evolution of policy frames on gender and migration in the Netherlands, 1995-2005", *Social Policy & Administration*, vol. 41, no. 3, pp. 271-288.
- Rohe, M. 2004, "The Formation of a European Shari'a" in *Muslims in Europe: from the margin to the centre*, ed. J. Malik, LIT Verlag, Berlin, pp. 161-184.
- Rosiny, S. 2010, 9 July, *Religion serves the people* [Homepage of Qantara.de], [Online].
- Rosiny, S. 2007, "The Twelver Shia Online: Challenges for its Religious Authorities" in *The other Shiites; from the Mediterranean to Central Asia*, eds. A. Monsutti, S. Naef & F. Sabahi, Peter Lang, Bern.
- Rosiny, S. 2001, "The Tragedy of Fatima Al-Zahra in the Debate of Two Shiite Theologians in Lebanon" in *The Twelver Shia in Modern Times; Religious Culture & Political History*, eds. R. Brunner & W. Ende, Brill, Leiden, pp. 207-219.
- Rutten, S. 2010, "Protection of spouses in informal marriages by human rights", *Utrecht Law Review*, vol. 6, pp. 77.
- Sachedina, A. 1980, "Al-Khums: The Fifth in the Imami Shii Legal System", *Journal of Near Eastern Studies Chicago, Ill.*, vol. 39, no. 4, pp. 275-289.
- Sachedina, A. 1978, "A Treatise on the Occultation of the Twelfth Imam", *Studia Islamica*, vol. 48, pp. 109-124.
- Sadeghi, F. 2008, "Fundamentalism, gender, and the discourses of veiling (Hijab) in contemporary Iran" in *Media, Culture and Society in Iran; Living with globalization and the Islamic state*, ed. M. Semati, Routledge, London.
- Sadjadpour, K. 2008, *Reading Khamenei: The World View of Iran's Most Powerful Leader*, Carnegie Endowment, Washington.
- Saharso, S. & Lettinga, D. 2008, "Contentious citizenship: Policies and debates on the veil in the Netherlands", *Social Politics: International Studies in Gender, State & Society*, vol. 15, no. 4, pp. 455-480.
- Sankari, J. 2005, *Fadlallah: The Making of a Radical Shi'ite Leader*, Saqi, London.
- Schielke, S. 2009a, "Ambivalent commitments: Troubles of morality, religiosity and aspiration among young Egyptians", *Journal of Religion in Africa*, vol. 39, no. 2, pp. 158-185.

- Schielke, S. 2009b, "Being good in Ramadan: ambivalence, fragmentation, and the moral self in the lives of young Egyptians", *Journal of the Royal Anthropological Institute*, vol. 15, no. 51, pp. S24-S40.
- Schmeets, H. & Bie, R.v.d. 2009, *Religie aan het Begin van de 21ste Eeuw*, Centraal Bureau voor de Statistiek, Den Haag.
- Schubel, V. 1991, "The Muharram Majlis: The Role of a Ritual in the Preservation of Shi'a Identity" in *Muslim Families in North America*, eds. E.H. Waugh, S. McIrvin Abu-Laban & R. Qureshi, University of Alberta Press, Alberta.
- Shabistari, A.M.M. 2001, "Religion, reason, and the new theology" in *Shi'ite heritage*, ed. L. Clarke, Global Publications, New York.
- Shadid, W. 2006, "Public debates over Islam and the awareness of Muslim identity in the Netherlands", *European Education*, vol. 38, no. 2, pp. 10-22.
- Shadid, W. 2005, "Berichtgeving over moslims en de islam in de westerse media: Beeldvorming, oorzaken en alternatieve strategieën", *Tijdschrift voor communicatiewetenschap*, vol. 33, no. 4, pp. 330-346.
- Shadid, W. & Van Koningsveld, P.S. 2004, "Het Nederlandse islamdebat", *Openbaar Bestuur*, vol. december 2004.
- Shadid, W. & Van Koningsveld, P.S. 1994, "De islam in het Westen: onbekend en onbemind", *Nexus*, vol. 3, no. 9, pp. 18-37.
- Shaery-Eisenlohr, R. 2011, *Shi'ite Lebanon: Transnational Religion and the Making of National Identities*, Columbia University Press, New York.
- Shavit, U. 2012, "The Wasatī and Salafī Approaches to the Religious Law of Muslim Minorities", *Islamic Law and Society*, vol. 19, no. 4, pp. 416-457.
- Shehada, N. 2009, "House of Obedience: Social Norms, Individual Agency, and Historical Contingency", *Journal of Middle East Women's Studies*, vol. 5, no. 1, pp. 24-49.
- Shubbar, L. 2006, January 26, *The cultural reality of the Dutch Shi'ite Ithna 'Asharis*. Available: <http://www.ulum.nl/b50.htm> <http://www.shiaparlement.com/nl/modules.php?name=News&file=article&sid=14> [2008, October 9].
- Sindawi, K. 2007, "Hawza Instruction and Its Role in Shaping Modern Shi'ite Identity: The Hawzas of al-Najaf and Qumm as a Case Study", *Middle Eastern Studies*, vol. 43, no. 6, pp. 831-856.
- Skovgaard-Petersen, J. 1997, *Defining Islam for the Egyptian state: muftis and fatwas of the Dar al-Ifta*, Brill, Leiden.

- Spellman, K. 2004, *Religion and Nation: Iranian Local and Transnational Networks in Britain*, Berghahn Books, New York.
- Stewart, D.J. 2001, "Islamic juridical hierarchies and the office of Marji' al-Taqlid" in *Shi'ite Heritage*, ed. L. Clarke, Global Publications, New York.
- Sunier, T. 2010, "Islam in the Netherlands: a Nation despite Religious Communities?" in *Religious newcomers and the nation state: Political culture and organized religion in France and the Netherlands*, eds. E. Sengers & T. Sunier, Eburon Academic Publishers, Delft.
- Sunier, T. 1998, "Islam and interest struggle: religious collective action among Turkish Muslims in the Netherlands" in *Muslim European Youth; Reproducing ethnicity, religion, culture*, eds. S. Vertovec & A. Rogers, Ashgate, Burlington.
- Szanto, E. 2012, *Following Sayyida Zaynab: Twelver Shi'ism in Contemporary Syria*, Centre for the Study of Religion, University of Toronto.
- Tabatabaei Lotfi, E. 1999, *Ijtihad in Twelver Shi'ism; The Interpretation and Application of Islamic Law in the Context of Changing Muslim Society*, PhD dissertation, University of Leeds, Department of Theology and Religious Studies, Leeds.
- Tabataba'i, H.M. 1984, *An Introduction to Shi'i Law; a bibliographical study*, Ithaca Press, London.
- Taha, D. 2015, "Muslim minorities in the West; between fiqh of minorities and integration", *Electronic Journal of Islamic and Middle Eastern Law*, [Online], vol. 2013, no. 1, pp. 2 September 2015.
- Takim, L. 2009, *Shi'ism in America*, New York University Press, New York.
- Talbani, A. & Hasanali, P. 2000, "Adolescent females between tradition and modernity: Gender role socialization in South Asian immigrant culture", *Journal of adolescence*, vol. 23, no. 5, pp. 615-627.
- Thaiss, G.E. 1972, "Religious symbolism and social change: the drama of Husain" in *Scholars, Saints, and Sufis; Muslim Religious Institutions in the Middle East since 1500*, ed. Nikki R. Keddie, University of California Press, Berkeley.
- Tillaart, H.v.d. & Warmerdam, J. 2001, *Irakese Vluchtelingen in Nederland*, ITS/Radboud University, Nijmegen.
- Van Bruinessen, M. 2011, "Producing Islamic Knowledge in Western Europe: Discipline, Authority, and Personal Quest" in *Producing Islamic Knowledge:*

- Transmission and Dissemination in Western Europe*, eds. M. Van Bruinessen & S. Allievi, Routledge, Abingdon.
- Van der Veer, P. 2006, "Pim Fortuyn, Theo van Gogh, and the politics of tolerance in the Netherlands", *Public Culture*, vol. 18, no. 1, pp. 111-124.
- Van Nieuwkerk (ed.), K. 2006, *Women embracing Islam: gender and conversion in the West*, University of Texas Press, Austin.
- Van Nieuwkerk, K. 2008, "Creating an Islamic cultural sphere: contested notions of art, leisure and entertainment. An Introduction", *Contemporary Islam*, vol. 2, no. 3, pp. 169-176.
- Van Nieuwkerk, K. 2004, "Veils and wooden clogs don't go together", *Ethnos*, vol. 69, no. 2, pp. 229-246.
- Van Rooden, P. 2010, "Dutch way of dealing with religious difference" in *Religious Newcomers and the Nation State; Political culture and organized religion in France and The Netherlands*, eds. E. Wengers & T. Sunier, Eburon Academic Publishers, Delft.
- Van Rooden, P. 1996, *Religieuze regimes; Over godsdienst en maatschappij in Nederland, 1570-1990*, Bert Bakker, Amsterdam.
- Vellenga, S.J. 2008, "Huntington in Holland: The Public Debate on Muslim Immigrants in the Netherlands", *Nordic Journal of Religion and Society*, vol. 21, no. 1, pp. 21-41.
- Verkuyten, M. 2013, *Identity and Cultural Diversity: What social psychology can teach us*, Routledge, New York.
- Visser, R. 2006, *Sistani, the United States and Politics in Iraq: from Quietism to Macchiavellism?*, Norwegian Institute of International Affairs, Oslo.
- Vroon, V. 2014, *Sisters in Islam. Women's conversion and the politics of belonging: A Dutch case study*, PhD dissertation, University of Amsterdam, Amsterdam.
- Walbridge, L.S. 2001, "The counterreformation; becoming a Marja' in the modern world" in *The most learned of the Shi'a*, ed. L.S. Walbridge, Oxford University Press, Oxford.
- Walbridge, L.S. 1997, *Without Forgetting the Imam: Lebanese Shi'ism in an American Community*, Wayne State University Press, Detroit.
- Welchman, L. 2011, "A husband's authority: emerging formulations in muslim family laws", *International Journal of Law, Policy and the Family*, vol. 25, no. 1, pp. 1-23.

- Zaidi, A.U. & Shuraydi, M. 2002, "Perceptions of arranged marriages by young Pakistani Muslim women living in a Western society", *Journal of Comparative Family Studies*, vol. 33, no. 4, pp. 495-514.
- Zarcone, T. 2007, "La communauté chiite de Turquie à l'époque contemporaine" in *Les mondes chiites et l'Iran*, ed. S. Mervin, Karthala Editions, Paris, pp. 135-162.
- Zuhur, S. 2006, *Traveling Apart: Women's Empowerment and Public Policy in Iraq*, Center for Strategic and Policy Studies, Brunei.

Author biography

Annemeik Schlatmann was born on 31 December 1960 in Vancouver, Canada, from Dutch parents. From the age of two, she has been living in the Netherlands. After having finished her study at the Hotel Management School in Maastricht in 1983, Annemeik worked at the staffing services provider Randstad as a staffing consultant, branch manager and assistant to the general manager for eleven years, followed by an employment of seven years at Connexion public transport company as the assistant to the chief executive officer.

341

Annemeik's life took a new turn in 2001, when she decided to embark upon the academic study she had been dreaming of for years. This desire had arisen after her travels to countries in the Middle East and stemmed from a wish to better understand Muslims, their outlooks on life and their ways of living. Annemeik studied Arabic, Persian and Turkic languages and cultures at Utrecht University, where she graduated in 2007 (cum laude). Her thesis, *The marja' al-taqlid; ayatollah Sistani as religious leader*, turned out to be the prelude to her PhD project, which started in 2008. The result of this study is now in your hands.

Appendix 'My interviewees'

Abbas is an Iraqi man of 20, university student. Abbas and his family arrived in the Netherlands in 2000, when he was 10. Abbas is an active member of one of the Shi'i youth associations and he is also a board member of his student association. Abbas follows grand ayatollah Sistani.

343

Aliye is an Afghan woman of 25, university student. She was born in Iran, where her father studied at the *hawza* of Qum. She arrived in the Netherlands in 1995, when she was 12. Aliye is a sister of Farah, another interviewee. Aliye wears a headscarf. She is a follower of grand ayatollah Sistani.

Amina is an Iraqi woman of 24 who after having completed her academic study works as a research assistant at one of the Dutch universities. After a brief period in Iran, her family arrived in the Netherlands in 1991, when she was two years. Amina wears a *hijab*. She follows grand ayatollah Sistani.

Aref is a man of Surinamese origin, 35, born in the Netherlands. He was a Sunni born Muslim who converted to Shi'i Islam. He works as a medical doctor. Aref is married to a Pakistani woman and has two children. He is a follower of grand ayatollah Sistani.

Arezu is an Iraqi woman of 32, university student and mother. She arrived in the Netherlands with her mother and brother in 1998, when she was 20. Arezu met her Iraqi husband in the Netherlands. She wears the *hijab*. In Iraq Arezu was a follower of the grand ayatollahs Khu'i and Shirazi. Later she changed her *taqlid* to grand ayatollah Kazim Husseini Ha'eri.

Azadeh is an Afghan woman of 20, a higher professional education student (HBO). After her father had been taken away by the Taliban – and went missing ever since – her mother decided to leave Afghanistan with Azadeh and her brothers. Azadeh was 10 when they arrived in the Netherlands. Azadeh does not wear the *hijab*. She is a follower of grand ayatollah Sistani.

Bayan is an Iraqi woman of 26 who combines an academic study with a part-time job. She was born in Syria, where her parents had taken refuge because they were not allowed to stay in Iran and because Iraq was an unsafe country. She is in the Netherlands since her 4th. Bayan is married. She wears the *hijab* and is a follower of grand ayatollah Sistani.

344

Enfal is a Dutch woman of 34 who converted to Shi'i Islam. She works as a psychiatrist. Enfal is married to an Iraqi man. Enfal wears the *hijab* and follows grand ayatollah Sistani.

Farah is an Afghan university student of 19 who was born in Iran, where her father studied at the *hawza* of Qum. When she and her family arrived in the Netherlands in 1995 Farah was four years. Farah is a sister of Aliye. Farah wears a headscarf. She follows grand ayatollah Sistani.

Fatima is an Iraqi woman of 26, university student and mother. She arrived in the Netherlands at the age of 15, in 1998, with her parents and siblings. Fatima's marriage with an Iraqi man had recently ended in a divorce. Fatima wears the *hijab*. She is a follower of grand ayatollah Fadlallah.

Fouzia is an Iraqi woman of 24, a higher professional education (HBO) student. She arrived in the Netherlands in 1998, at the age of 12, with her mother and brothers. Her father is no longer alive. Fouzia wears a headscarf. She is a follower of grand ayatollah Sistani.

Hamid is an Iraqi man of 25 who works as a psychiatrist. At the age of 5, in 1991, he arrived in the Netherlands, with his family. At the time of the interview Hamid was preparing to get married and invited me at his wedding. In the Shi'i youth association AhlAlbaitYouth Hamid is a frequent lecturer on Shi'i *fiqh*. He himself is a follower of grand ayatollah Sistani.

Homayra is an Iraqi woman of 22 who arrived in the Netherlands in 1995 at the age of seven. Her father, who was politically active, fled Iraq when Homayra was still a toddler. Upon arrival in the Netherlands, with her mother and five siblings, she again met the father she had deemed dead for all those years. Homayra is a university student who is also engaged in local politics,

journalism and a range of projects for Muslim youth. Homayra is married. She wears a headscarf. Homayra does not follow a grand ayatollah.

Iman is an Iraqi woman of 21. She is a university student. Iman was born in Iraq and arrived in the Netherlands when she was 5, in 1995, with her parents and siblings. Iman wears the *hijab*. She is a follower of grand ayatollah Sistani.

345

Jawad is an Iraqi man of 22. He is a university student. Jawad arrived in the Netherlands in 2001, with his family. At that time he was eight. Only a year before the interview he had become a serious Shi'i practitioner. He does not follow a grand ayatollah.

Kamran is an Afghan university student of 23. When he was still a toddler his family lived for a few years in Iran but they were not allowed to settle there permanently. Upon arrival in the Netherlands in 1992 Kamran was six years. His Shi'i family is not practising. From his 16th Kamran started to study Shi'i Islam and became a devoted believer. Kamran chose to follow grand ayatollah Fadlallah.

Maedeh, a woman of 26, was born in Iran. She has two siblings. In 1995, when Maedeh was 13 years old, the family fled Iran to the Netherlands. Maedeh is a university student. Maedeh does not wear a *hijab*. She follows grand ayatollah Sistani.

Majid is Pakistani man of 36 who arrived in the Netherlands in 1981 at the age of ten, together with his parents and his five siblings. Majid has an education on lower vocational technical school (LTS). At the time of the interview he was a filmmaker and photographer. During his youth Majid was taught some basic knowledge about Islam, not more than the Islamic do's and don'ts. Only in his twenties he started to study Shi'i Islam and became a devoted religious practitioner. Majid chose to follow grand ayatollah Sistani.

Mehdi is a Dutch man of 31 who converted to Shi'i Islam. He combines a job as a teacher with an academic study. Mehdi is married. He is a follower of grand ayatollah Fadlallah.

Mona is a Dutch woman of 26 who converted to Shi'i Islam in her teenage years. She is married to an Iranian man. *Mona* works as a medical doctor. She does not wear a headscarf. *Mona* is a follower grand ayatollah Sistani.

346

Mujtaba is an Iraqi man of 29 who at the time of our conversation had just completed his study at university. He arrived with his parents and siblings in the Netherlands in 1995, at the age of 14, after a journey of several years through a number of countries. *Mujtaba* does not follow a grand ayatollah.

Mustafa is a Turkish man of 18 who was born in the Netherlands. He is a student at senior secondary vocational education (MBO). *Mustafa* is the only one of his family who is a practising Shi'i believer. Shortly after our conversation he became a follower of grand ayatollah Khamene'i.

Neda is an Iranian woman of 47 who arrived in the Netherlands in 1985. She was raised in a non-practising Shi'i family and reverted to Shi'i Islam during the Islamic revolution. From then on she has been wearing the *hijab*. She left Iran to join her Iranian husband in the Netherlands. At the time of our conversation *Neda* studied at university in the Netherlands and she was a mother of two teenagers. *Neda* follows grand ayatollah Saane'i.

Parisa is an Afghan woman of 26 who works as a psychologist. She arrived in the Netherlands with her family when she was 12. Before *Parisa* came to the Netherlands in 1997 she had missed three years of school because of the situation in Afghanistan. After having learned the Dutch language in a year she went to university preparatory education (VWO) and later to university. *Parisa* is married. She does not wear a headscarf and she does not follow a *marja' al-taqlid*.

Pardis is an Afghan woman of 22. She is a university student. With her parents and siblings she arrived in the Netherlands in 1998. *Pardis* was 8 years and had never been to school due to the unsafe situation in Afghanistan. *Pardis* does not wear a *hijab*. She became a follower of grand ayatollah Sistani.

Qasem is an Iraqi man of 22. He is a university student. Qasem was born in Iran in an Iraqi family. His father was a student at the *hawza* of Qum. Qasem arrived with his family in the Netherlands when he was 2, in 1991. Qasem does not follow a grand ayatollah.

Raady is an Iraqi man of 37 who works as a social worker. He arrived in the Netherlands in 1997 at the age of 23, together with his wife. Their children were born in the Netherlands. Raady was a former student of the *hawza* of Najaf. He is a follower of grand ayatollah Sistani.

Rafi is an Afghan man of 29 years who works as a dentist. A few months after the Taliban came to power, Rafi, 16 years old, fled Afghanistan with two older nephews. Upon his arrival in the Netherlands in 1996 he started in the fourth grade of pre-university secondary education (VWO). Rafi chose to be a follower of grand ayatollah Sistani.

Sarah is a Dutch woman of 22 years who converted to Shi'i Islam at the age of 19. She is a social worker and a university student. Sarah lives with an Iraqi man with whom she has an enduring relationship. Sarah wears the *hijab*. Shortly after her conversion she chose to follow grand ayatollah Sistani.

Umm Ahmad is an Iraqi woman of 44. She is a mother and works as a social worker. In 1991 she arrived in the Netherlands at the age of 21. Umm Ahmad has completed an academic study at a Dutch university. She wears the *hijab*. Umm Ahmad is a follower of grand ayatollah Fadlallah, whom she has known personally since he was a student at the *hawza* in Najaf.

Umm Yasmina, the mother of interviewee Yasmina, is a woman of 44. She was born in Morocco and has been living in the Netherlands since she was five. Umm Yasmina, born Sunni, converted to Shi'i Islam when she was 35. Her Dutch husband, a convert to Islam, and her children from then on were also Shi'i. Umm Yasmina wears the *hijab*. She is a follower of grand ayatollah Sistani.

Waiel al-Khateeb is an Iraqi man of 29. He works as a medical specialist in one of the academic hospitals in the Netherlands. Waiel arrived with his parents and siblings in the Netherlands in 1990, when he was 7. Waiel was co-founder of the Shi'i youth association AhlalbaitYouth. He became a key figure in the Shi'i youth community. He is a follower of Sistani.

348

Yasmina is a Dutch-Moroccan woman of 18, high school student at senior general secondary education (HAVO). She was born in the Netherlands. Her mother is a Moroccan woman who converted from Sunni to Shi'i Islam and her father is a Dutch man who converted to Shi'ism. Yasmina does not wear a headscarf. She follows grand ayatollah Sistani.

Yasser is an Iraqi man of 32 who arrived in the Netherlands in 2005 at the age of 27, after having spent years in a refugee camp in Saudi Arabia. He got a thorough religious education by his parents and did a lot of religious self-study. Yasser works as accountant. He is in a permanent relationship with a Dutch woman who converted to Shi'i Islam. Yasser is a follower of the late ayatollah al-Khu'i and of grand ayatollah Sistani.

Zubayda is an Afghan woman of 26. She has a job as a legal expert. Zubayda is from a not practising Shi'i family. Only as a university student she started to gain knowledge about Shi'i Islam and became a devoted Shi'i Muslim. She hopes to be wearing the *hijab* soon. Zubayda chose to follow Sistani.

Appendix 'Questionnaire Ahlal bait Youth site'

Beste lezer,

Uit interesse in de shi'itische islam doe ik, Annemeik Schlatmann, voor de Universiteit Utrecht onderzoek naar 'Shi'itische fiqh voor moslims in de westerse wereld'. In dit onderzoek richt ik me niet alleen op de inhoud van deze religieuze jurisprudentie, maar vooral op de vraag: hoe ervaren shi'itische moslims in de westerse wereld deze leefregels, hoe gaan ze ermee om, en waar liggen de grootste struikelblokken om de shi'itische religieuze leefregels te volgen als inwoner van een westers land. Alleen met jouw medewerking kan ik hier inzicht in krijgen, dus ik hoop dat je even de tijd wilt nemen om deze vragenlijst in te vullen en terug te sturen naar: a.m.schlatmann@uu.nl

349

- 1 Ben je man/vrouw
- 2 Leeftijd ...jaar
- 3 Geboren in Nederland/ander land, nl.
- 4 Als je niet in Nederland geboren bent, hoe lang ben je dan in Nederland? ...jaar
- 5 Welke taal/talen spreek je redelijk of goed?
- 6 Welke taal/talen kun je lezen?
- 7 Ben je van shi'itische origine?
- 8 Als je niet van shi'itische afkomst bent, met welke overtuiging of religie ben je dan opgevoed, en wanneer ben je tot de shi'itische islam bekeerd?
- 9 Kun je aangeven waarom je tot dit besluit kwam en hoe?
- 10 Welke opleiding(en) volg je of heb je afgerond?
- 11 Wat voor werk doe je?
- 12 Met wie woon je in huis?
- 13 Kun je beschrijven welke plek jouw geloof inneemt in je (dagelijkse) leven, zowel wat betreft de directe religieuze praktijk, bijv. de *salat*, als in de omgang met andere mensen?
- 14 Ervaar je weleens momenten of gelegenheden waarbij het moeilijk is om de regels van je geloof te volgen?
- 15 Hoe ga je daarmee om? Wat doe je dan en waarom?
- 16 Voel je je volledig vrij in het praktiseren van je geloof in Nederland?

- 17 Hoe ziet je vriendenkring/kennissenkring eruit?
- 18 Wat doe je graag in je vrije tijd?
- 19 Ga je vaak op zoek naar informatie over de shi'itische islam, en zo ja, waar zoek je die dan?
- a Mede-gelovigen die ik ken van
- b Moskee/*husayniyya*, nl.
- c Boeken, bijv.
- d Internet (welke sites, informatie en fora)
- e Anders, nl.
- 20 Volg je een *marja' al-taqlid*, en zo ja, wie
- 21 Waarom is je keuze op deze *marja' al-taqlid* gevallen
- 22 Hoe kwam je tot die keuze (familie, eigen onderzoek, mede-gelovigen) ?
- 23 Wat betekent je *marja' al-taqlid* voor jou?
- 24 Vraag je hem wel eens advies? Zo ja, hoe?
- 25 Vraag je ook wel eens advies aan de *wakil* van je *marja' al-taqlid*?
- 26 Vraag je ook wel eens advies aan anderen dan je *marja' al-taqlid* of de *wakil*? Zo ja, aan wie en waarom aan diegene(n)?
- 27 Wat zijn zoal onderwerpen waarover je weleens advies hebt ingewonnen, hebben die bijvoorbeeld meer te maken met de '*ibadat* (religieuze plichten) of met de *mu'amalat* (de manier waarop je met je omgeving omgaat)?
- 28 Volg je altijd het advies dat je krijgt van je *marja' al-taqlid* of *wakil*?
- 29 Ervaar je wel eens dat je zelf nog overwegingen moet maken hoe je zo'n antwoord moet toepassen of interpreteren, bijvoorbeeld doordat je *marja' al-taqlid* of zijn *wakil* moeilijk de situatie in Nederland kunnen doorgronden?
- 30 Als dat zo is, kun je daar een voorbeeld van geven?
- 31 Ondermeer de ayatollahs Khamenei, Sistani en de overleden ayatollah Fadlallah vaardig(d)en fatwa's uit voor moslims die als minderheden in de westerse wereld wonen. Ben je daarvan op de hoogte?
- 32 Lees je deze religieuze regelgeving? Zo ja, waar?
- 33 Geven deze nieuwe regels van je eigen *marja' al-taqlid* blijk van een goed begrip van de situatie in een Westers land?
- 34 Op welke vlakken heel goed? En op welke vlakken minder goed?
- 35 Bezoek je een moskee? (vaak, regelmatig, zelden, nooit)
- 36 Welke moskee bezoek je meestal en waarom die?

37 Waar en met wie breng je de religieuze dagen door als 'Ashura/
Eid al-Fitr e.d.?

Voor de *dames* onder jullie

38 Draag je een *hijab*?

39 Zoja, waarom en wat betekent dat voor je?

35^I

40 Zo nee, waarom niet?

Voor de *heren* onder jullie

41 Draag je een baard?

42 Zoja, waarom en wat betekent dat voor je?

43 Zo nee, waarom niet?

44 Mag ik je later nog eens spreken of e-mailen? Zoja, wat is je e-mail adres?

45 Heb je zelf nog aanvullingen of opmerkingen?

Hartelijk bedankt!

Appendix 'Questions interviews with Shi'i believers'

352

- 1 Tell about yourself
 - Age, personal history, family, education, work
- 2 Religious education
 - What (Qur'an, practices), when (age), by whom, how
- 3 Religious practice
 - Something distinct Shi'i?
 - Prayer
 - *Taqlid*
 - Which *marja' al-taqlid* and why?
- 4 *Taqlid* and *marja'*
 - What does *taqlid* mean in your life?
 - How does *taqlid* influence your life?
 - Ever looked at *fatwas* of *marja'* (books, Internet)?
 - Ever asked opinion of your *marja'*? (about, how, answer, helpful?)
- 5 *Fatwas* and difficulties in Dutch life
 - Which *fatwas* not easy to follow? Why? Explain.
 - How do you deal with such situations? How do you act? Which considerations? Explain.
 - Does your *marja'* have a good understanding of your life as a Muslim in a western country? Explain.
 - Suppose, your *marja'* visits the Netherlands and asks you to show him which *fatwas* are difficult to follow. What would you show him/make him experience/discuss with him? Explain.

Appendix 'Interviews with legal scholars and representatives of maraji' al-taqlid in Qum'

(18 February – 4 March 2010)

List of interviews with representatives of grand ayatollahs

353

WHO	INSTITUTE	SPECIALISM
office Sistani	ayatollah Jawad Shahrastani	<i>wakil</i> of ayatollah Sistani and son-in-law Sistani
	Dr Hashemi	manager webcentre Sistani in Qum
office Khamene'i	Sheikh Asad Kathir	<i>wakil</i> of ayatollah Khamene'i (+ his most important representant for Hizbullah in Qum)
office Fadlallah	Sheikh Yasir	<i>wakil</i> of ayatollah Fadlallah
office Hakim	ayatollah Riyad al-Hakim	<i>wakil</i> and son of ayatollah Mohammed Sa'id al-Hakim in Najaf
	Sayed Hatem Shokor	foreign affairs ayatollah al-Hakim
office Sobhani	ayatollah Sobhani	

List of interviews with legal scholars and religious institutes

354

Dr Ali Haji	al-Mustafa University	deen
Dr Mohammad Bonakdar	al-Mustafa University	head research department
Dr Ali Abbas Barati	Al-Mustafa University	international relations
Dr Shahriar Shojaeipour	Islamic research institute for culture and thought	PhD peace making and conflict studies US
Dr Fazadollah Hedayatniya	Islamic research institute for culture and thought	Islamic and Iranian law (family law etc.)
Dr Arjmand Far	Imam Khomeini Seminary	Mysticism, Ibrahimic studies, dialogue Islam-Christianity
Dr Taheri	Imam Khomeini Seminary	Ibrahimic studies, dialogue Islam-Christianity
Ali Haddad	Bright Future Institute (Mahdism)	general manager
Dr Zamani	Imam Khomeini Seminary	Qur'an, tafsir, Orientalism
Mr Hassanzadeh	Aal al-Bayt	Coordinator websites
Mr Abdolwahab Forati	Imam Khomeini Seminary	Political sciences
Dr Hekmatnia	Islamic research institute for culture and thought	director

Mohssen Mohajeri	Islamic research institute for culture and thought	Ibrahmic religions
Dr Savadi	Islamic research institute for culture and thought	politics, jurisprudence, methodology
Mahmud Nazari		programme coordinator
Maysan Kholami	Bahralulum University	student <i>hawza</i> + MA Islamic studies
Fatemeh Tashakori	Bint al-Huda Seminary	Women's studies – Ibrahmic studies
Zahra Tashakori	Bint al-Huda Seminary	Women's studies – feminism
Faezeh Amini	Bint al-Huda Seminary	Women's studies – Qur'an
Boshra Gholami	Bint al-Huda Seminary	feminism – Ibrahmic studies
Esmat Tabatabaei		Ijtihad (PhD Leeds)
Wafa Nasrollah		Qur'an and hadith
Ziba Mirsepassi	o.a. Call of Islam Radio	translator
Razieh Shameli	o.a. Call of Islam radio	translator

Appendix 'List of Arabic terms'

Listed below are Arabic terms that are frequently used in this dissertation, with their meanings.

<i>adhan</i>	call to prayer	357
<i>'adl</i>	justice, fairness, uprightness	
<i>al-akhira</i>	the hereafter	
<i>akhlaq</i> (pl. of <i>khuluq</i>)	Islamic moral behaviour, morality	
<i>'aql</i>	reason, understanding, intellect	
<i>al-a'lam</i>	the most knowledgeable, the most learned	
<i>a'lamiyya</i>	high level of knowledge	
<i>darura</i>	necessity (legal principle)	
<i>da'wa</i>	invitation to Islam, missionary activity	
<i>dua</i>	invocation of God, supplication, prayer	
<i>faqih</i>	expert in <i>fiqh</i>	
<i>fatwa</i> (pl. <i>fatwas</i>)	Islamic legal opinion	
<i>fiqh</i>	Islamic jurisprudence, science of religious law in Islam	
<i>hadith</i>	in Shi'i Islam: traditions, relating to deeds and utterances of the Prophet and the twelve Imams	
<i>hajj</i>	Muslim pilgrimage to Mecca	
<i>halal</i>	permitted (Islamic law)	
<i>haraj</i>	hardship (legal principle)	
<i>haram</i>	forbidden (Islamic law)	
<i>hawza 'ilmiyya</i>	Shi'i centre of learning	
<i>hujjat al-islam</i>	title for some <i>mujtahids</i> , lit. proof of Islam	
<i>husayniyya</i>	Shi'i place for religious gatherings	
<i>husn al-khuluq</i>	goodness of character	
<i>'ibadat</i>	acts of devotion, religious observances according to Islamic law	
<i>ijma'</i>	consensus	
<i>iman</i>	faith, belief	
<i>ijaza</i>	authorisation	
<i>ijazat al-ijtihad</i>	authorisation to perform <i>ijtihad</i>	
<i>ijtihad</i>	independent judgement in a legal or theological question	

	<i>jihad al-nafs</i>	struggle against one's evil ideas, desires and powers of lust and anger
	<i>khums</i>	one fifth, a form of religious tax in Shi'i Islam
	<i>makruh</i>	reprehensible (Islamic law)
	<i>mandub</i>	recommended (Islamic law)
358	<i>marja' al-taqlid</i>	source of emulation, highest authority in Twelver Shi'i Islam
	<i>marja'iyya</i>	the institution of Shi'i authority
	<i>maslaha</i>	public interest
	<i>mubah</i>	permitted, allowed (Islamic law)
	<i>mujtahid</i>	legal scholar who is authorised to formulate independent opinions on legal and theological matters
	<i>mu'amalat</i>	human relations, conduct of people in daily life
	<i>mukallaf</i>	person obligated to follow the precepts of religion
	<i>mustahabb</i>	commendable, desirable (Islamic law)
	<i>risalat al-'amaliyya</i>	practical treatise with fatwas, <i>fiqh</i> manual
	<i>salat</i>	Islamic prayer ritual
	<i>shahada</i>	(Muslim) creed, testimony
	<i>shari'a</i>	Islamic law
	<i>sayyid</i>	title of Muhammad's descendants
	<i>shaykh</i>	honorific title for authorities
	<i>taqlid</i>	imitation, denotes the following of the legal opinions of a <i>mujtahid</i>
	' <i>ulama'</i> (pl. of ' <i>alim</i>)	Islamic scholars
	<i>usul al-din</i>	five principles of the Shi'i religion used for arriving at a judgement in <i>fiqh</i> : oneness of God, justice, Prophethood, leadership, Day of Resurrection
	<i>wajib</i>	imperative, obligatory (Islamic law)
	<i>wakil</i> (pl. <i>wukala'</i>)	authorised representative
	<i>wudu</i>	ritual ablution before prayer
	<i>zakat</i>	religious tax

Quaestiones Infinitae
Publications of the department of
philosophy and religious studies

- VOLUME 21. D. VAN DALEN, *Torens en Fundamenten* (valedictory lecture), 1997.
- VOLUME 22. J.A. BERGSTRA, W.J. FOKKINK, W.M.T. MENNEN, S.F.M. VAN VLIJMEN, *Spoorweglogica via EURIS*, 1997.
- VOLUME 23. I.M. CROESE, *Simplicius on Continuous and Instantaneous Change* (dissertation), 1998.
- VOLUME 24. M.J. HOLLENBERG, *Logic and Bisimulation* (dissertation), 1998.
- VOLUME 25. C.H. LEIJENHORST, *Hobbes and the Aristotelians* (dissertation), 1998.
- VOLUME 26. S.F.M. VAN VLIJMEN, *Algebraic Specification in Action* (dissertation), 1998.
- VOLUME 27. M.F. VERWEIJ, *Preventive Medicine Between Obligation and Aspiration* (dissertation), 1998.
- VOLUME 28. J.A. BERGSTRA, S.F.M. VAN VLIJMEN, *Theoretische Software Engineering: kenmerken, faseringen en classificaties*, 1998.
- VOLUME 29. A.G. WOUTERS, *Explanation Without A Cause* (dissertation), 1999.
- VOLUME 30. M.M.S.K. SIE, *Responsibility, Blameworthy Action & Normative Disagreements* (dissertation), 1999.
- VOLUME 31. M.S.P.R. VAN ATTEN, *Phenomenology of choice sequences* (dissertation), 1999.
- VOLUME 32. V.N. STEBLETSOVA, *Algebras, Relations and Geometries (an equational perspective)* (dissertation), 2000.
- VOLUME 33. A. VISSER, *Het Tekst Continuüm* (inaugural lecture), 2000.
- VOLUME 34. H. ISHIGURO, *Can we speak about what cannot be said?* (public lecture), 2000.
- VOLUME 35. W. HAAS, *Haltlosigkeit; Zwischen Sprache und Erfahrung* (dissertation), 2001.
- VOLUME 36. R. POLI, *ALWIS: Ontology for knowledge engineers* (dissertation), 2001.
- VOLUME 37. J. MANSFELD, *Platonische Briefschrijverij* (valedictory lecture), 2001.
- VOLUME 37A. E.J. BOS, *The Correspondence between Descartes and Henricus Regius* (dissertation), 2002.
- VOLUME 38. M. VAN OTEGEM, *A Bibliography of the Works of Descartes (1637-1704)* (dissertation), 2002.
- VOLUME 39. B.E.K.J. GOOSSENS, *Edmund Husserl: Einleitung in die Philosophie: Vorlesungen 1922/23* (dissertation), 2003.
- VOLUME 40. H.J.M. BROEKHUIJSE, *Het einde van de sociaaldemocratie* (dissertation), 2002.

- VOLUME 41. P. RAVALLI, *Husserls Phänomenologie der Intersubjektivität in den Göttinger Jahren: Eine kritisch-historische Darstellung* (dissertation), 2003.
- VOLUME 42. B. ALMOND, *The Midas Touch: Ethics, Science and our Human Future* (inaugural lecture), 2003.
- VOLUME 43. M. DÜWELL, *Morele kennis: over de mogelijkheden van toegepaste ethiek* (inaugural lecture), 2003.
- VOLUME 44. R.D.A. HENDRIKS, *Metamathematics in Coq* (dissertation), 2003.
- VOLUME 45. TH. VERBEEK, E.J. BOS, J.M.M. VAN DE VEN, *The Correspondence of René Descartes: 1643*, 2003.
- VOLUME 46. J.J.C. KUIPER, *Ideas and Explorations: Brouwer's Road to Intuitionism* (dissertation), 2004.
- VOLUME 47. C.M. BEKKER, *Rechtvaardigheid, Onpartijdigheid, Gender en Sociale Diversiteit; Feministische filosofen over recht doen aan vrouwen en hun onderlinge verschillen* (dissertation), 2004.
- VOLUME 48. A.A. LONG, *Epictetus on understanding and managing emotions* (public lecture), 2004.
- VOLUME 49. J.J. JOOSTEN, *Interpretability formalized* (dissertation), 2004.
- VOLUME 50. J.G. SIJMONS, *Phänomenologie und Idealismus: Analyse der Struktur und Methode der Philosophie Rudolf Steiners* (dissertation), 2005.
- VOLUME 51. J.H. HOOGSTAD, *Time tracks* (dissertation), 2005.
- VOLUME 52. M.A. VAN DEN HOVEN, *A Claim for Reasonable Morality* (dissertation), 2006.
- VOLUME 53. C. VERMEULEN, *René Descartes, Specimina philosophiae: Introduction and Critical Edition* (dissertation), 2007.
- VOLUME 54. R.G. MILLIKAN, *Learning Language without having a theory of mind* (inaugural lecture), 2007.
- VOLUME 55. R.J.G. CLAASSEN, *The Market's Place in the Provision of Goods* (dissertation), 2008.
- VOLUME 56. H.J.S. BRUGGINK, *Equivalence of Reductions in Higher-Order Rewriting* (dissertation), 2008.
- VOLUME 57. A. KALIS, *Failures of agency* (dissertation), 2009.
- VOLUME 58. S. GRAUMANN, *Assistierte Freiheit* (dissertation), 2009.
- VOLUME 59. M. AALDERINK, *Philosophy, Scientific Knowledge, and Concept Formation in Geulincx and Descartes* (dissertation), 2010.
- VOLUME 60. I.M. CONRADIE, *Seneca in his cultural and literary context: Selected moral letters on the body* (dissertation), 2010.
- VOLUME 61. C. VAN SIJL, *Stoic Philosophy and the Exegesis of Myth* (dissertation), 2010.
- VOLUME 62. J.M.I.M. LEO, *The Logical Structure of Relations* (dissertation), 2010.

- VOLUME 63 M.S.A. VAN HOUTE, *Seneca's theology in its philosophical context* (dissertation), 2010.
- VOLUME 64 F.A. BAKKER, *Three Studies in Epicurean Cosmology* (dissertation), 2010.
- VOLUME 65 T. FOSSEN, *Political legitimacy and the pragmatic turn* (dissertation), 2011.
- VOLUME 66 T. VISAK, *Killing happy animals. Explorations in utilitarian ethics.* (dissertation), 2011.
- VOLUME 67 A. JOOSSE, *Why we need others: Platonic and Stoic models of friendship and self-understanding* (dissertation), 2011.
- VOLUME 68 N. M. NIJSSINGH, *Expanding newborn screening programmes and strengthening informed consent* (dissertation), 2012.
- VOLUME 69 R. PEELS, *Believing Responsibly: Intellectual Obligations and Doxastic Excuses* (dissertation), 2012.
- VOLUME 70 S. LUTZ, *Criteria of Empirical Significance* (dissertation), 2012
- VOLUME 70A G.H. BOS, *Agential Self-consciousness, beyond conscious agency* (dissertation), 2013.
- VOLUME 71 F.E. KALDEWAIJ, *The animal in morality: Justifying duties to animals in Kantian moral philosophy* (dissertation), 2013.
- VOLUME 72 R.O. BUNING, *Henricus Reneri (1593-1639): Descartes' Quartermaster in Aristotelian Territory* (dissertation), 2013.
- VOLUME 73 I.S. LÖWISCH, *Genealogy Composition in Response to Trauma: Gender and Memory in 1 Chronicles 1-9 and the Documentary Film 'My Life Part 2'* (dissertation), 2013.
- VOLUME 74 A. EL KHAIRAT, *Contesting Boundaries: Satire in Contemporary Morocco* (dissertation), 2013.
- VOLUME 75 A. KROM, *Not to be sneezed at. On the possibility of justifying infectious disease control by appealing to a mid-level harm principle* (dissertation), 2014.
- VOLUME 76 Z. PALL, *Salafism in Lebanon: local and transnational resources* (dissertation), 2014.
- VOLUME 77 D. WAHID, *Nurturing the Salafi Manhaj: A Study of Salafi Pesantrens in Contemporary Indonesia* (dissertation), 2014.
- VOLUME 78 B.W.P VAN DEN BERG, *Speelruimte voor dialoog en verbeelding. Basisschoolleerlingen maken kennis met religieuze verhalen* (dissertation), 2014.
- VOLUME 79 J.T. BERGHUIJS, *New Spirituality and Social Engagement* (dissertation), 2014.
- VOLUME 80 A. WETTER, *Judging By Her. Reconfiguring Israel in Ruth, Esther and Judith* (dissertation), 2014.

- VOLUME 81 J.M. MULDER, *Conceptual Realism. The Structure of Metaphysical Thought* (dissertation), 2014.
- VOLUME 82 L.W.C. VAN LIT, *Eschatology and the World of Image in Suhrawardī and His Commentators* (dissertation), 2014.
- VOLUME 83 P.L. LAMBERTZ, *Divisive matters. Aesthetic difference and authority in a Congolese spiritual movement 'from Japan'* (dissertation), 2015.
- VOLUME 84 J.P. GOUDSMIT, *Intuitionistic Rules: Admissible Rules of Intermediate Logics* (dissertation), 2015.
- VOLUME 85 E.T. FEIKEMA, *Still not at Ease: Corruption and Conflict of Interest in Hybrid Political Orders* (dissertation), 2015.
- VOLUME 86 N. VAN MILTENBURG, *Freedom in Action* (dissertation), 2015.
- VOLUME 86A P. COPPENS, *Seeing God in This world and the Otherworld: Crossing Boundaries in Sufi Commentaries on the Qur'ān* (dissertation), 2015.
- VOLUME 87 D.H.J. JETHRO, *Aesthetics of Power: Heritage Formation and the Senses in Post-apartheid South Africa* (dissertation), 2015
- VOLUME 88 C.E. HARNACKE, *From Human Nature to Moral Judgement: Reframing Debates about Disability and Enhancement* (dissertation), 2015.
- VOLUME 89 X. WANG, *Human Rights and Internet Access: A Philosophical Investigation* (dissertation), 2016.
- VOLUME 90 R. VAN BROEKHOVEN, *De Bewakers Bewaakt: Journalistiek en leiderschap in een gemediatiseerde democratie* (dissertation), 2016
- VOLUME 91 A. SCHLATMANN, *Shi'i Muslim youth in the Netherlands; Negotiating Shi'i fatwas and rituals in the Dutch context* (dissertation), 2016.